

MADAN MOHAN MALAVIYA

Statesman, Parliamentarian and Educationist

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Certified that Ms Jyotsna Tewari has undertaken her research work on 'Madan Mohan Malaviya : Statesman, Parliamentarian and Educationist' for the Degree of Ph.D. in History under the auspices of the Bundelkhand University. She has used the available primary sources including relevant newspapers journals as well as writings of eminent authors. I permit her to submit this thesis for the Degree of Ph.D. in History in Bundelkhand University, Jhansi.



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Preface

This research work has been undertaken on 'Madan Mohan Malaviya : Statesman, Parliamentarian and Educationist' for the Degree of Ph.D. in History under the Bundelkhand University, Jhansi (U.P.) Indeed Malaviya ji was a unique social reformer as well as a renowned educationist. He was a very fine orator and Parliamentarian who gained the most significant prominence in his long-drawn political career. A staunch Hindu as he was, he did not give up his secular discipline. In fact his role as a Congress leader is most unique in the annals of Indian sub-continent.

The theme contains nine chapters, *viz.* historical background, his early career, the Congress leadership, role in U.P. Council, role in Central Legislature, foundation of Banaras Hindu University, Hindu Mahasabha President, his disciplined participation in the freedom struggle having deep bearing on the attainment of Swaraj and the assessment.

I have used the primary sources available in the National Archives of India, U.P. Council records, newspapers, journals, speeches and writings of prominent political leaders and writings of eminent authors to fill up the gaps in the text.

I feel much beholden to Dr. T.R. Sareen, former Director, ICHR who very kindly guided my research work and advised me on several new points having deep bearing on the socio-political career of Madan Mohan Malaviya.

Jyotsna Tewari

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Historical Background

The foundation of the Indian National congress in 1885 was an unprecedented historic event in the annals of India. It afforded much impetus to the commencement of political activities by well-educated middle class intelligentsia engaged in various kinds of professions in different parts of the country. The unique feature of this organization was an annual meeting for a few days in a big city on a common platform where the members of this organization could pass resolutions having constitutional stance. The demands were modest in their nature and the tone was moderate which lacked the agitational approach.

The initiative in this direction was taken in 1885 by an eminent member of the civil service who served in various capacities in India. He was Allan Octavian Hume, a Scot by birth and a democrat by aptitude, temperament and training and a retired senior official from the Board of Revenue of the North-West Provinces. Greatly loved, respected and admired by congressmen and his well-wishers, Hume found out a political and constitutional channel which was the result of the spread of a new model of western education imparted to a tiny fraction of Indian population which had become very keen and enthusiastic in giving a new interpretation to the existing political system in India.¹ He initiated a debate to the fact that the *Pax Britannica* had failed to bring out a solution to the economic ills afflicting the Indian soil; the machinery of the government was out of touch with the masses and there could be no hope for the safety of the people unless the administration was leavened by a representative Indian element.²

Another Briton, Lord Dufferin, the Viceroy of India, undoubtedly evinced much interest in what Hume had originally planned.³ He found no difficulty in according his approval to Hume's political innovation as he considered that under the prevailing circumstance this kind of approach at all-India level would definitely furnish the machinery of the government with something like an authoritarian statement of the views, aspirations, demands and wishes of the educated and intelligent classes throughout the country. He felt quite sure that the very existence of an all-India organization through which the British government in India might be kept informed of its opinion would greatly benefit the public as a whole. He

indeed considered such an organization vested with a high degree of responsibility as useful in the existing set up.

It is quite evident that the foundation of the Indian National Congress with the cooperation of Indian stalwarts and sympathies of liberal British administrators embodied the wishes and aspirations of a new India which was growing into political consciousness under the impact of various forces, such as the development of English education, newspaper press, swift means of communications with the progress of science and technology, internal and external security under a strong and well-organized central administration, racial discrimination, economic exploitation of the weaker sections of society, growing rate of unemployment, increasing number of famines and the unprecedented havoc wrought by them on human beings and cattle and ineffective and defective famine-eradication policy, various political associations, socio-religious reform movements, publication of new literature and its easy availability amongst the younger generation dwelling in towns and cities, and, last but not the least, the growing political consciousness of the past greatness of India. In 1886, Dadabhai Naoroji, a prominent Congress leader, president of the second annual session of the Indian National Congress and a formidable speaker and an orator with resonant voice and an expert on economic drain explained thus: ... a national Congress must confine itself to questions in which the entire nation had a direct participation.⁴

The organization, its working and participation in it by well- educated and well-known members of Indian society marked the advent of a new kind of model in the political awakening of the people of India. It indeed provided a common platform and a national forum for opening of a free and frank dialogue on crucial national issue which greatly helped in the formation of public opinion of middle class intelligentsia and also the evolution of the process of political education which greatly prompted the masses of India to take to non-violent agitational approach on the eve of the emergence of Mahatma Gandhi on the Indian scene in 1915. Hence forth the national upsurge spontaneously released by the leadership of the Indian National Congress and the British measures to meet the new political challenges from time to time constituted the twin major instruments of the history of India.⁵

It is obvious that in the eventful history of the Indian National Congress, the first one-and-a-half decade may be termed as an era of limited constitutional demands.⁶ Undoubtedly the early leaders of the Congress had great faith in British style of functioning in India and they, therefore, instead of adopting any means which could have anti-*Raj* stance, had a different kind of approach to redress their grievances. And these measures were tinged with peaceful and constitutional

atmosphere through resolutions, petitions and appeals. This kind of political programme was conducted in a decorous, sober and subdued spirit.⁷ The Congress leadership was full of admiration—almost adulation—for British history and culture. They gratefully acknowledged numerous advantages derived by their country from the British connection. The acceptance of the British rule by them in a frank, open and loyal manner was a glaring phenomenon because they were well-convinced to the fact that, 'British rule alone could secure to the country the peace and order which were necessary for slowly evolving a nation out of the heterogeneous elements of which it was composed, and assuring to it a ready advance in different directions.'⁸

It may, however, be seen in this context that the speeches delivered by eminent Congress leaders and the resolutions finally adopted at such annual sessions did not contain the element of revolutionary fervour or anti-*Raj* feelings. In fact almost all the presidential addresses recounted the various kinds of benefits accrued from the British rule in India and the Congress leadership gave assurances of India's loyalty to the Crown and also reiterated India's desire to remain within the British Empire.⁹ It is also evident that these annual sessions attracted the attention of the educated class mostly from towns, and big cities and also of the government though for different purposes. The proceedings in the sessions did not include discussion or debate by the members, but a number of resolutions were passed by acclamation and were usually carried forward with additions from year to year. But with all this kind of programme, the Congress had one serious limitation by which it was greatly handicapped in its political programme. It functioned as an organized political body only for three days in the whole year and its vibrations were confined to the urban educated middle class. It is also evident that its confinement to the big cities kept it aloof from the masses of India and its stance led and propagated by an exclusive body of English educated people smacked of the desire and effort to assimilated western political institutions.

During the first phase, the Indian National Congress had a different type of political programme. It urged the British government in India to introduce a number of reforms like the reorganization of the councils, simultaneous examinations for the Indian Civil Service and the raising of age of candidates appearing in it, the abolition or reconstitution of India Council; the separation of judiciary from executive; the repeal of the Arms Act; the enlistment of Indians as volunteers; the appointment of Indians to the commissioned ranks; the reduction of military expenditure and the extension of the permanent settlement to other parts of India. Besides, it expressed its opinion on all the important measures of the government and protested against the unpopular ones.

With the passage of time, it was felt that the political ideas, ideology and activities of the leadership of the Indian National Congress should have some kind of recognition in England, especially amongst the British politicians who had sentiments of sympathy towards the growing patriotic aspirations of Indians. Undoubtedly, a number of distinguished parliamentarians and eminent public men like Burke, Bright, Bradlaugh and Fawcett had voiced Indian grievances from time to time, but no systematic political work had been undertaken so far. It was Dadabhai Naoroji who initiated this kind of propaganda in England and, in this task, he was greatly supported by no less persons than A.O. Hume and William Wedderburn who were determined to apprise the British public of the wrongs done to a subject-nation like India. In 1887, Naoroji volunteered himself to act as an agent to the congress in England and there he did what 'his own industry and limited resources rendered possible.'¹⁰ As a consequence of these incessant efforts the birth of the British Committee to undertake the political work in England was the most significant phenomenon at the fifth session of the Congress held in Bombay in 1889. Its members were William Wedderburn, W.S. Caine, Bright Maclaren, J.E. Ellis, Dadabhai Naoroji and George Yule. They were to guide and direct the operations of the National Congress Agency in England and control the expenditure. Besides, in the same session prominent persons like A.O. Hume, George Yule, William Alan, Eardley Norton, J.N. Heward, Pherozeshah Mehta, Surendranath Banerjea, Mono Mohan Ghose, Sharafuddin, R.N. Mudholkar and W.C. Bonnerjee were appointed to represent the Indian National Congress in England to push up its work thereby pressing upon the consideration of the British public, the political reforms it advocated.¹¹

A new phenomenon is glaring on the political scene of India when the Congress executive sent to England in 1890 a delegation consisting of prominent Congressmen like A.O. Hume Surendranath Banerjea, R.N. Mudholkar, and E. Norton to tour the country and appeal to the British public, on behalf of the people of India, to support the Indian National Congress in its demand for reform in Indian administration. On account to their effort and persuasion, a kind of relationship was established with the associations and organizations of both the political parties in Britain. Thus effective propaganda could be made there in numerous meetings which were well-attended. Consequently, resolutions were adopted at these meetings in favour of reforms, particularly for a system of representative government and a few petitions were sent to the House of Commons praying for the acceptance of the Congress scheme for constitutional reforms.¹²

This kind of political approach was taken at the subsequent annual session of the Congress. The Indian Councils Act passed in 1892 was not in accordance with

the demands made by the Indian leaders from time to time. Looking to the vastness of British India and the multitude of its population, the raising of the number of additional members from twelve to sixteen in the central legislature and from one hundred twenty-five to four hundred in the provincial councils were minor quantitative changes which had no qualitative impact for the better. In accordance with this decision, majority of the members were nominated by the Viceroy and the Governors from their respective councils from among the non-officials, so that the official majority could be preserved without any kind of hindrance. However the functions of the councils were enlarged by giving to the members the right of asking questions and discussing the financial allocations in the budget, but not voting upon it. It is evident that the change in connection with the composition and powers of the legislative councils was just nominal. The Act, therefore, fell far short of Indian expectations. It contained the seeds of communal representation and it was therefore disappointing in spirit and content. Naturally, the Indian public opinion as represented by the Congress was dissatisfied with the denial of the principle of election, the limited scope for discussion of the budget and interpellations and the subtle attempt to introduce class consciousness to break the Congress with it.¹³

The Act could not escape the fury and criticism of the Congress leadership. Dadabhai Naoroji levelled trenchant criticism against its clauses and bemoaned the poor character of the extent of concessions made to discuss finances and scope to put questions. He realised the fact that to all intents and purposes, India was being administered under an arbitrary rule.¹⁴ Besides, others focussed the attention of the people regarding the major defects of the Act and the administrative lapses in the functioning of the government. Newspapers—both in English and Indian languages—propagated the viewpoint of the nationalist leaders. Besides, in various political conferences held from time to time, the prominent leaders did not lag behind in affording a constitutional colour to the existing agitational approach and they also apprised the people of the dismal concessions granted by the Act of 1892.

In the next decade, the successive Governors-General were conservative in their attitude and hence the solution to the constitutional problems appeared to be a remote possibility. Instead of finding out any agreeable and refreshing approach, they clung to the traditional measure and routine affairs without any kind of change in them, and this mode of administration brought good to neither side and created fresh and more baffling problems. Indecision in numerous matters was a glaring phenomenon. Other factors which hampered the decisive and prompt action were the inadequate support from the Home Government, opposition of the bureaucracy at various levels, and the non-cooperative attitude of the British community in India. For sometime Lord Lansdown sought to keep alive the responsive mood, but

he soon shrank back at the first obstacle and decided to deal sternly with the vocal educated classes.¹⁵ His attitude was quite apparent at a farewell dinner in Calcutta where he uttered a somewhat derogatory remark about the Indian National Congress by calling it a microscopic minority. By showing this kind of attitude he set tone for his successors to repeat it with greater vehemence. He, however, did not fail to realize the growing demand for constitutional reforms advocated by the Indian intelligentsia and sent home the confidential instructions for liberalising the legislative councils.¹⁶

Lord Elgin II abstained from giving any kind of expression to his views on the current constitutional problems of India. During his Viceroyalty, he was advised, guided and directed by the Secretary of State and also by the advice of the members of Executive Council. The Indian press representing the nationalist views always levelled criticism against him for his disregard of the wishes and sentiments of the governed.¹⁷ He was often critical of the genuine Indian demands and tried to evade the real issue which he never bothered to resolve during his time. At the close of his career in India, he uttered something indiscreetly about India in the United Services Club of Simla. 'India was conquered by the sword and by the sword it shall be held'.¹⁸

These views and sentiments expressed by the successive Viceroys did not hamper the work of the Congress party. It rather maintained its constitutional approach and showed more dignified reaction than the British nation is with long democratic traditions. In a limited way, however, individual reaction of Bal Gangadhar Tilak was noticed in Maharashtra between 1893-97 for which he was imprisoned on a charge of sedition in 1897.¹⁹ But the true implications of the clubs, *akharas*, societies and religious festivals started by him in a few areas of western India were not fully understood by the rest of India at that time.

With the assumption of the office of the Viceroy and Governor-General of India in 1899, the young Lord Curzon who was hardly forty years old, the aspirations, feelings and attitudes in the nationalist circles began to change. The Secretary of State, Francis Hamilton, cautioned Curzon and warned him of the political situation in India. He stated, 'I think the real danger to our rule in India, not now but 50 years hence, is the gradual adoption and extension of western ideas of agitation and organisation, and if we could break the educated Hindu party into two sections holding widely different views, we should by such a division, strengthen our position against the subtle and continuous attack which the spread of education must make upon our present system of government'.²⁰

Soon the new Viceroy had firm grip over the whole administrative machinery by devising new measures in which he showed a comprehensive thoroughness. He formed a poor opinion about Indians regarding their loyalty and competence in various spheres of administrative work. He did not favour, rather opposed, in due course of time, in granting any kind of constitutional or other concession to Indians. This kind of feeling made the educated Indians believe that nothing useful was going to be granted to them in the next few years. Indeed, it greatly wounded the sentiments of the people and enraged them. Hence his reactionary policies and measures such as officialisation of the Calcutta corporation, greater control over the universities, colleges and other educational institutions, and, last but not the least, the Partition of Bengal had greatly agitated the more sensitive and self-conscious sections of Indians during the opening years of the twentieth century.

It is evident from the functioning of the Viceroy that he disliked Congress and attached little importance to it. He held the opinion that the Congress posed a danger to the British rule in India and it contained seeds of future revolution. The Congress claim of being a representative body was always retuted by the Viceroy with trenchant criticism often levelled against it. He even went to the length of giving vent to his feelings in writing to Francis Hamilton whom he informed that the Congress was tottering to its fall and one of his greatest ambitions while in India was to assist it to a peaceful demise. He considered the Indian people unequal to the responsibilities of high office and never had reliance on them. Thus there was fashioned in the Viceroy's mind the image of India and Indians very different from that which was being built up in the minds of the apostles of the new nationalism. To make the British rule stronger, he tightened the grip of administration over the whole country. He was of the firm opinion that, 'More places on this or that council for a few active or eloquent men will not benefit the raiyat.... That I have not offered political concessions is because I did not regard it as wisdom or statesmanship in the interests of India to do so'.²¹

Of all the administrative measures undertaken during the Viceroyalty of Curzon, the Partition of Bengal announced on 20 July 1905 was forced upon the people against their will. It was indeed a most high-handed action of the Viceroy. This brought about much odium and criticism against him which led to his unpopularity and also alienated a great section of the educated classes from British rule. Besides, there was much agitation, criticism and unprecedented dissatisfaction amongst the people of Bengal who formed a joint-front against this decision.

The agitation did not end here. It was taken up as a national issue at the twenty-first session of the Indian National Congress held at Banaras on 27-30 December

1905. Its president, Gopal Krishna Gokhale, criticised this measure in the following words, 'The tremendous upheaval of popular feeling which has taken place in Bengal constitutes a landmark in the history of our national progress... As wave of true national consciousness has swept over the Province... The most outstanding fact of the situation is that the public life of this country has received an accession of strength of great importance, and for this all India owes a deep debt of gratitude of Bengal'²² Another prominent Congress leader present in the same session was very critical of the Partition of Bengal. He stated, 'Lord Curzon has divided our province; he has sought to bring about the disintegration of our race, and to destroy the solidarity of our popular opinion'.²³

As a result of this resentment, the Indian National Congress passed a resolution against it and at the same time severely criticised Curzon's action. Indeed, the young and the old levelled words of criticism and condemnation and they manifested disinclination to accept the dismemberment of the homeland as an accomplished fact.²⁴ Those who had studied and watched the historic triumphs of Japan, the revolutionary rumblings in Russia, the rise and progress of Sinn Féin movement in Ireland, the Egyptian struggle for freedom and the Young Turk revolt, could not but be filled with new born ideas and aspirations for their country and prompted to more energetic action.

The appointment of the new Lt. Governor of the province brought about the agitation, resentment, anger and criticism as a glaring phenomenon. It is quite evident when Bampfylde Fuller took over as the Lt. Governor of the new province, the fury of the people of Bengal touched new bounds. There were demonstrations everywhere and the day was marked as one of deep mourning and solemn resolve to undo the partition. Batch after batch of bare-footed men marched towards the *ghats* of the Ganges, singing hymns and national songs and shouting *Bande Mataram*. They kept fast for the whole day. So far so a proclamation was read pledging the people to do everything in their power to counteract the evil effects of the dismemberment of the province and to maintain the integrity of the Bengali people. As Stephen E. Koss explained, 'Fuller's injudicious actions added to the grievances of this afflicted area and galvanized the anti-partition agitation that was Lord Curzon's legacy. Morley repeated by explaining to Valentine Chirol of *The Times*, 'I never was so relieved in my life as when he resigned'.²⁵

The anti-partition agitation was greatly highlighted by the nationalist press throughout the country. Prominent newspapers and journals like the *Bengalee*, *Amrita Bazar Patrika*, *Kesari*, *New India*, *Sandhya*, *Yugantor* and the *Bande Mataram* played a most remarkable role in giving a new direction and shift to the

national mind towards the patriotic sentiments and made the people of India realize about the objectives for the attainment of freedom from the foreign yoke.

Some prominent political leaders of other provinces felt much concerned about the great injustice done to the people of Bengal. The Bombay Presidency and the Central Provinces found in Bal Gangadhar Tilak a determined, sincere and intrepid leader of unusual organising ability. He declared in an unequivocal terms: 'The time has come to demand Swaraj of self-government. No piece-meal reform will do. The system of present administration is ruinous to the country. It must mend or end'. In the Punjab, the leaders of the prominent social organisation, the Arya Samaj, did not lag behind in preaching the doctrine of *swadeshi* and they went round the country rousing their interest and patronage for the indigenous goods, In the United Provinces, the propaganda for *swadeshi* extended from district to district. In the numerous meetings, people were exhorted to patronise *swadeshi* stores which were opened at numerous places. Thus the *swadeshi* movement gained momentum by the year 1906. The slogan of boycott united virtually all sections of nationalist opinion in Bengal during this period. The *samiti* volunteers were mostly from the student community and the educated young men. Among their elders, the members of the *bhadralok*, professions of law, teaching, journalism and medicine were particularly predominant.²⁶

The twin slogans of *swadeshi* and boycott, however, received much attention and recognition at the Calcutta session of the Indian National Congress in 1906 under the presidency of the Grand Old Man, Dadabhai Naoroji. The Congress forthright supported the cause of promotion and growth of the indigenous industries, 'even at some sacrifice.' Thus a movement which had been entirely economic in its nature for some time, suddenly became political and the boycott was added to the *swadeshi*. Obviously, the new gospel spread far and wide and it found its supporters and following in far off areas. As a result of this kind of approach, in Calcutta, a *swadeshi* matchfactory in Dacca, soap-works; and in other towns, cigarettes, biscuits, toys, woollens etc. were started.²⁷

Besides the decade witnessed a phenomenal change in the thinking of the people, and radicalism and extremism emerged in Indian nationalist politics, particularly in Bengal and Maharashtra. A new political programme developed as a result of the ceaseless efforts of Bal Gangadhar Tilak, Bepin Chandra Pal and Lala Lajpat Rai whose thundering voices began to rent the sky from three corners of India with a new kind of hope and aspirations for amelioration of the conditions of the people. This type of political storm was bound to create split in the ranks of the Indian National Congress which actually was magnified at its Surat session in the

year 1907. The split of Surat was the outcome of a clash of principles as well as of personalities, of mistrust as well as miscalculation. Some persons having no truck with the Congress went to another extreme inculcating a revolutionary cult with violent means. These trends were too alarming to the British administration at various levels to be allowed to prevail.²⁸

Lord Minto found the country in the throes of an upheaval. He found much irritation and a sense of frustration amongst the people as a result of certain measures undertaken by his predecessor. His avowed contempt of the educated class and his administrative measures were the main causes of this kind of behaviour of the people of India. Minto was a conservative by instincts and from the very start of his career in India he decided to follow a different line of action. He was very clear in his mind about the principle of the establishment of British supremacy in India at any cost and also to defeat any political movement in the country. He in fact started on a well-known note, 'One has always to remember that from the very nature of the conditions surrounding us our existence in India is based on the power of the strong hand'.²⁹

During this period, when the Congress was emerging as an important and probably the only political party at all India level, the prominent leaders like Motilal Nehru did, sometime evaluated the political situation in the country by launching a severe attack on the existing administrative system of the *Raj*. Such sentiments were expressed by him in his presidential address at the first provincial conference of the United Provinces held at Allahabad in the last week of March 1907. He argued thus: 'The National Congress meets but once a year, and having regard to the fact that it is a vast assembly of representatives from almost every part of India, it cannot conveniently meet more than once in the course of twelve months. Now, gentlemen, as you are aware, John Bull is rather dull of understanding and hard of hearing. The potent voice of the Congress is wanted to his ears across the seas every Christmas-tide. He is aroused and begins to think that there is something wrong somewhere, but before he can fully grasp the situation, the voice, potent as it is, dies away and he hears practically nothing till the following Christmas, when the same thing is repeated with the same result. By saying this I do not by any means intend to imply that the labours of the Congress have so far been in vain. Those labours have certainly been crowned with a measure of success and that in two directions; first, in the educative effect of the Congress movement on the Indians themselves, which cannot be too highly valued, and secondly, in securing from the powers that be, at least a modicum of the reforms advocated by it. I attribute the small measure of success attained in the latter direction solely to the fact that John Bull has not

been sufficiently aroused... It is, therefore, necessary for us to supplement the efforts of the Congress of all India by holding small Congress, so to say, in every Province—nay, if possible, in every town of the Empire—even though it be to reiterate the same demands. But it is clear that besides, what is common to a particular province and the rest of India, there must necessarily be in each province its own special needs that require looking after, its own special grievances that require to be redressed. These it would be impossible to discuss adequately in the Congress of all India and they must, therefore, be dealt with by the province to which they are peculiar.’³⁰

In the same conference, he apprised the people of their rights and privileges which they could claim from the British government. He asked them to fight the battle for their rights in a constitutional way and by doing so they should not fear or retrace their steps by showing any kind of cowardice. But they should act mainly for the achievement of their goal. He elaborated his views thus. ‘Now, gentlemen, I do not hold a brief for the Government, nor am I a supporter of the present system, the short-comings of which we are here to consider and call attention to. Far be it from me to recommend to you a policy of mean, cringing, fawning flattery of the powers that be. You are men and you must be manly. You have rights and you must stand like men on those rights. You have grievances and you must like men demand redress. Be brave, unbending, persistent in advocating and carrying out reforms. Fear no one however high he may be placed. Trust in the strength of your cause and support it to the death. Take a mighty resolve that India shall suffer wrong no more and devote all your energies to acquire the strength and the ability to protect the motherland from insult and injury. This strength and ability must come from within, at great sacrifice, and in the fullness of time. It does not consist in an impotent defiance of constituted authority. A respectful attitude towards the Government of the country is not only not inconsistent with manliness, but is the very essence of the true and healthy manhood of a nation. While on the one hand you have grievances and wrongs that cry loudly for redress, you must not forget that you enjoy, on the other hand many great blessings under the aegis of British rule, not the least of which is the right you are at this moment exercising of assembling in public meeting to criticise that rule itself. In all gratitude we must acknowledge the rights and privileges conferred in the past, and with all the strength, that the justice and righteousness of our cause inspires in us, we must ask for more... I implore you to so conduct your proceedings and to so frame your resolutions as not to compel an administration which has opened with such hope and promise to fight shy of you. Give it the chance to come to the rescue. But if it does not, why go ahead, Move heaven and earth till you get what you fully deserve.

If you cannot get it in your life time, do not despair. If you cannot get it in your life time, do not despair. The noblest legacy that you can possibly leave to your children and your children's children will be the fruition of your patriotic efforts in the cause of the motherland. All I beg of you is to adopt constitutional and not doubttable means, to be brave but not rude, to be dignified but not defiant".³¹

The most significant achievement of Lord Minto's government was the foundation of the Muslim league by Aga Khan who led a deputation to the Viceroy to apprise him of the political demands of the Muslim community which he stated had separate identity from other communities in India. His efforts bore fruit to the fact that the only hope for Muslims 'lay along the lines of independent political recognition from the British Government as a nation within a nation'.³² The Muslim league thus received much support and sympathy both from Aga Khan and the Viceroy and soon it chalked out an ambitious political programme by starting a vigorous agitation for separate Muslim electorate on the plea that without their privileges, the Muslim candidates would never be elected to the legislative councils from Hindu majority constituencies.³³

The Muslim League, in its manifesto, propagated a programme which had main focus on the welfare and development of the Muslim community. Its fundamental objects were promotion of feelings of loyalty to the British government, protection and advancement of the political rights and interests of the Muslims and prevention of the rise of hostility of the government and of the other Indian communities towards it. Thus the birth of the Muslim League marked a further step in the growth of the sentiment of nationality among the Muslims though in a different and narrow sense.³⁴

Having achieved this kind of success by raising a parallel political organisation to the Indian National Congress, the next step for the government was to devise ways and means for weakening the functioning of the Congress. The time of split was a suitable opportunity for the government. And every effort was made to widen the gulf between the two groups of the Congress by placating the moderates and suppressing the radicals who had begun adopting militant means to achieve their end. As a consequence of this policy, Bal Gangadhar Tilak was thrown behind the bars and was deported for six years.³⁵

Morley was not prepared to concede parliamentary government to India, but he wanted the spirit of English institutions to permeate the Indian administration. Minto was not prepared to admit even this and insisted on perpetuating autocracy. The attempt failed and within a decade a new Act came into operation sweeping away the Morley-Minto edifice.³⁶

The reforms might have afforded strength, in various ways, to maintain British hold over India in a better way for the time being and divided and weakened the nationalist forces, but the inevitable ultimate consequence was the partition of country, the emergence of Pakistan and the final withdrawal of England from India in 1947.

It is thus quite obvious that the Minto—Morley reforms failed to afford any kind of constitutional solution to the existing political problems facing the country. The demand of the radicals for the attainment of *swaraj* raised with full enthusiasm in the year 1907 remained totally unfulfilled which led to the spread of dissatisfaction in many quarters. This led to much bitterness in the coming years amongst moderates and extremists. In this difference in reaction of the two different ideological groups in the Indian National Congress lay the success and fulfilment of the cherished objective of Morley and Minto. The dissensions in the Congress grew stronger and the two divergent groups turned to their organization for solving their problems.³⁷

As a result of all these developments, the echo of Tilak's famous and popular declaration, '*Swaraj* is our birth-right, and we shall have it', began to reverberate in every nook and corner, and his name and fame became dominant in the political firmament of the country. Under his leadership and guidance, the Congress secured a broad base and lower middle classes were brought to its fold. This was the spectacular result which he achieved as a result of his hurricane political tours in various parts of India. His propaganda for *swaraj* and Home Rule was a danger signal for the British bureaucratic steel frame.³⁸

At this point of time, the British government felt much concern and anxiety over the prevailing political situation in the country. It made a serious attempt to assuage the bitter feelings of the dissatisfied elements and thus divert their attention by annulling the most unpopular measure of Partition of Bengal in December 1911, exactly on the occasion of the coronation ceremony of the Emperor George V held in Delhi amidst a huge gathering of officials, non-officials and prominent public men and transferring of the capital from Calcutta to the traditional metropolitan of India since ancient times.³⁹ In fact, the requisite parliamentary legislation to this effect was enacted 1912. But the effect of this restitution was temporary in contents. The public agitation, no doubt, became less clamorous only for the time being. Some Muslims who had hailed the creation of a Muslim province did not show much resentment as the united Bengal still had a Muslim majority though not preponderant as in East Bengal. It was largely on account of the reversal of the unpopular measure that on the eve of the First World

War in 1914, the national movement was comparatively at a low ebb. The reasons were obvious.⁴⁰ The moderates had lost their appeal, if any, to the public and other leaders like Bepin Chandra Pal and Lala Lajpat Rai had lost their hold over the people for the time being. Their self-imposed exile had enabled them, though not with much success, to keep up their linkage and keep up the fight from their distant bases in England and U.S.A. The opening years of the First War led to the emergence of new leadership in no less a person than Gandhi who was to play a conspicuous political role for more than three decades—a period which has deep linkage with the freedom struggle against the *Raj*.⁴¹

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2

Early Career

Pandit Madan Mohan Malaviya, whose contribution in our freedom struggle is unparalleled in the history of India, was born on 25 December 1861.¹ The year is indeed significant because during this year the two other prominent Indians, Pandit Motilal Nehru and Rabindranath Tagore were born. Historically this year is prominent in the sense because the Indian Council Act, the Indian Civil Service Act and the High Court Act were passed. In his family Madan Mohan Malaviya was the third son and the fifth issue of his parents. He was born and brought up at Allahabad and received his early education in two Sanskrit Pathshalas—the Dharma Jnanopadesh Pathshala and the Vidya Dharma Vardhini Sabha. Thereafter he shifted to an English school and passed his entrance Examination from the Allahabad Zila School. Now he joined the Muir Central College. He graduated in 1884 and received the law degree in 1891.²

Towards the end of 1884, he took up the post of an Assistant Master in the Government High School at Allahabad and remained there till 1887 on a salary of Rs. Fifty per month. He felt a kind of suffocation in the government service as he could not express his ideas freely. At this point of time he came into contact with Raja Rampal Singh of Kala Kankar who was the proprietor of a paper entitled *Hindustan*. The Raja offered him the editorship of this paper. He resigned from government service and accepted the new assignment.

He remained editor of the *Hindustan* for two years and a half, his salary being Rs. 200. He conducted the paper with marked ability and moderation, so much so that an acknowledgment was made of its public usefulness in the government Administration Report itself. Pandit Madan Mohan's direct connection with journalism did not stop on his giving up the editorship of the *Hindustan*. He became editor of the *Indian Union*, an independent organ of *Indian opinion* with which the honoured name of Pandit Ajoodhia Nath was associated, and did not a little for that paper in collaboration with the esteemed townsman, Pandit Baldeo Ram Dave. His connection with *Indian Union* was kept up though not exactly as editor, till its incorporation with the *Advocate* of Lucknow. Babu Brahmanda Sinha, at present Secretary of the Upper India Couper Paper Mill of Lucknow, was the

editor of the *Indian Union* in its later stages, Pandit Madan Mohan's interest in journalism and faith in the Press as a powerful factor in the formation of public opinion and in influencing the course of administration have not abated in the course of years. Only some years ago he felt so much the evil to the community at large and to the rising generation in particular, of the onrush of ideas paraded as advanced but really suicidal to progress of the country, which a section of the Press has taken to propagate with less wisdom than energy, that he started the weekly Hindi paper the *Abhyudaya* and laboured hard to make it informing and instructive by himself contributing numerous articles to its columns. The *Abhyudaya* has made an excellent progress since it was started and has done a deal of public service, but its proprietor has been out of pocket to a considerable time on its account. It is intended to extend its usefulness by issuing it twice a week, and it is to be hoped that the bi-weekly *Abhyudaya* may soon be an accomplished fact. How keenly Pandit Madan Mohan felt the need of an "English Daily" at Allahabad to voice the opinions and ventilate the grievances of the people of the provinces, and how zealously he worked to bring the *Leader* into existence, are facts too recent and too well-known to need stating at length.

While he was conducting the *Hindustan* he was pressed by men for whom he had the highest regard and who took a warm personal interest in the young man's rise, to qualify himself for the Bar. Among these were Mr. A.O. Hume of whom Pandit Madan Mohan was a great favourite and a whose feet it is his pride to have sat. The late Pandit Ajoodhia Nath, the late Rajah Rampal Singh and Pandit Sunder Lal, who then as now, was a great friend of his. Pandit Madan Mohan himself was reluctant to a degree so become a pleader. The bent of his mind was for public work particularly in the fields of religion and education—and money making as such had no attraction for him. But he was prevailed upon to overcome his unwillingness to become a layer, and he accordingly joined the law classes when he was editing the *Hindustan*. He took his L.L.B. degree in 1891 and joined the High Court in 1893. Pandit Ajoodhia Nath once complained to Mr. Hume that since he had taken to the study of law, Pandit Madan Mohan's interest in Congress work rather slackened. "Quite right," said the old man with fatherly solicitude, "he must concentrate all his attention on law." And turning to Pandit Madan Mohan, Mr. Hume spoke somewhat as follows : "Madan Mohan, God has endowed you with plenty of brains. Slave at the profession for ten years and you are bound to go to the top. Then your public usefulness will increase greatly owing to the position you will attain, and you can do much for the country." This piece of advice was never acted upon. The claims of various public works had always the lion's share of his time and attention, and

though he has risen creditably high in the profession and is recognised as a skilled and successful Advocate he has never reached the first two or three places at the bar. This is entirely owing to his neglect of opportunities which came to him unsought. "Malaviya had the ball at his feet," one of the Indian leaders of the local bar said once, "but he refused to kick it."

As a student Pandit Madan Mohan began to take an active interest in the public affairs of his country. The Allahabad Literary Institute served as his training ground. He found the Hindu Samaj with others and was one of its most active members. Politics, too, were not left alone.

Pandit Madan Mohan Malaviya joined the Indian National Congress in 1886 when its second session was held at Calcutta under the presidency of Mr. Dadabhai Naoroji. Suddenly in the course of the proceedings when he heard other men speak, the feeling came to him that he might speak also, and encouraged by Pandit Adityaram, he made his first attempt. The man and the speech alike produced a favourable impression, and this is how Mr. Hume spoke of them in the Introduction to the Report of that year's Congress—one of those masterly essays by the way which we so much miss in Congress Reports of latter years : — "But perhaps the speech that was most enthusiastically received was one made by Pandit Madan Mohan Malaviya, a high caste Brahman, whose fair complexion and delicately chiselled features, instinct with intellectuality, at once impressed every eye, and how suddenly jumping upon a chair beside the President poured forth a manifestly imprompt speech with an energy and eloquence that carried everything before them." The speech was on "Legislative Council Reform" — and, one sentence at least of the speech, deserves to live. "No taxation without representation. That is the first commandment in the Englishmen's political Bible". He spoke on the same subject at the Madras Congress of the next year, and the effect was equally successful. It called forth compliments from such men as Raja Sir T. Madhava Rao, Dewan Bahadur R. Ragoonath Rao and Mr. Eardley Norton, while Mr. Hume wrote as follows in his Introduction to the Report : — "Then rose Pandit Madan Mohan Malaviya, a very young and enthusiastic labourer in the cause, and from his speech we felt bound to extract largely; partly because though overfervid in expression towards its close it embodies truths that merit careful consideration."⁶

At once he became a favourite on the Congress platform and steadily rose in importance not only by his power of speech and contribution to debate,—which won for him compliments from such men as Mr. (now Sir) Charles Schwan, the late Sir Pherozeshah Mehta, the late Mr. Caine and the late Mr. Digby—but by the earnest and untiring work he did throughout the year to advance the Congress. In 1887,

some months before the Congress met at Madras, Mr. Hume wrote to say that he was hopeful of a large muster of delegates from every province : he was only doubtful of the North-West Province, and expressed the hope that some one might rouse the people to a sense of their duty. The hint was at once taken up by Pandit Madan Mohan; he could not brook the idea of the representative character of the Congress suffering by the remissness of his native province, and not well circumstanced as he was, he at once went on a tour in the province and worked at city after city amid environments by no means encouraging. And it was a tribute to his capacity for breathing enthusiasm into people that no fewer than 45 delegates came to distant Madras in that year, a number not equalled at any succeeding Madras Session. He also at the same time became at the instance of Mr. Hume, Secretary of the N.W.P. Association and of the standing Congress Committee, and remained such for many years.⁷

Hume was eager that after Madras, Allahabad should hold the Congress and it was to Pandit Madan Mohan he turned to take up the idea to invite the Congress and hold a successful Session. The Congress of 1888 still remains perhaps the most interesting yet held. Pandit Ajoodhia Nath had not joined the Reception Committee at first, though Pandit Bishambar Nath did, but after he came in, he contributed very largely to the success of its work as every one remembers with gratitude. The working Secretary was Pandit Madan Mohan, and among other men who laboured must be mentioned Rai Bahadur Lala Ram Charan Das and Babu Charoo Chandra Mitra.⁸

Again, when the Congress was invited to hold its eighth session at Allahabad, in 1892, the grievous calamity of the death of Pandit Ajoodhia Nath discouraged the people and many suggestions were made that the Joint General Secretary. Mr. W.C. Bonnerjee, should be informed that the Congress could not be held here; but there were a few stalwarts, for foremost among them Pandit Madan Mohan who would not listen to counsels of despair. And with Pandit Bishambar Nath, the unfailing old leader and sagacious counselor at their head the workers in the cause here held successful session that year at Allahabad. He presided over the United Provinces Conference at Lucknow in 1908, and his election as President of the Parent movement itself in the year 1909, came fittingly and in the fulness of time.

Pandit Madan Mohan Malaviya became a member of the Allahabad Municipal Board many years ago and was its Vice-Chairman on one or two occasions. He was elected a Fellow of the University fifteen years ago and succeeded Pandit Bishambar Nath as a member of the Legislative Council in 1902 when the latter retired owing to increasing age. Ever since he has been a member. In the Council he has

distinguished himself by the display of combined moderation and ability, spirit of independence as well a sense of responsibility. His speeches on the Bundelkhand Land Alienation Bill and the Excise Bill and no the annual financial statements bring into relief the aforesaid qualities in him and mark him out unmistakably from the other members. He has had to work at considerable disadvantage being almost alone to espouse popular opinions, but in the new Council he will have some of his fellow-workers his colleagues to share his labours—notably the Hon'ble Pandit Motilal Nehru and the Hon'ble Babu Ganga Prasad Varma. Pandit Madan Mohan gave valuable evidence before the Decentralisation Commission, the most important parts of his statement dealing with the constitution of provincial Governments and financial decentralisation. It is not a matter of surprise that after this career of usefulness for his motherland and with a clear knowledge of the diverse economical problems of India which have all along been engaging his attention, he should have become a member of the Imperial Legislative Council of which he can rightly claim to be a factor in view of his high attainments and extraordinary abilities.⁹

Pandit Madan Mohan took up the question of Court character in the province and worked hard at the matter for rather more than three years. The complaint which he brought out on this subject was exhaustive of its kind and may be said to have gone a long way to bring about the famous resolution of Sir Antony MacDonnell's Government, which for several years after its issue formed the subject of so much controversy and gave rise to a feeling of unjust bitterness in the mind of the Mahomedan community. After all it was a very moderate recognition of the claims of the Nagari character on the part of the Government.¹⁰

Pandit Madan Mohan has evinced the deepest interest in the welfare of the student population and in order to relieve them of hardship in finding suitable quarters at Allahabad wither they come in large number from their native places in the mofussil, he initiated in conjunction with the Hon'ble Pandit Sunder Lal, the movement in honour of Sir, Antony Mac-Donnell which has concretised in the Hindu Boarding House. Pandit Madan Mohan, at the Sacrifice of his steadily increasing professional work which he could ill afford to do travelled long and far at his own expense to raise funds for the Boarding House and he has the satisfaction of seeing it today in a flourishing condition and serving the purpose for which it was intended, very well indeed. The building itself, which was opened by Sir Antony MacDonnell's successor, Sir James La Touche, is one of the few handsome structures of Allahabad. His interest in educational matters led to his appointment as a member of the school Committee of which the late Mr. Roberts was Chairman, and it is known what part he took in the deliberations of the committee.¹¹

We have referred more than once to Pandit Madan Mohan's zeal in religious matters. It is one of the settled convictions of his life that religions is at the foundation of all greatness and goodness, and that without an abiding religious faith no affair of may can succeed. He believes in ritual and most of the ideas and practices of orthodox Brahmans and hopefully looks forward to a religious revival in the country. He wants religious instructions to be imparted in school and has himself text books which he hopes may be found suitable. He as the originator and the life and soul of the Sanatana Dharma Mahasabha held at Allahabad in January, 1906, and it is no secret what expenditure of time, labour and money was borne by him to make the Sabha a success.¹²

It is the combination of religious faith and zeal for the spread of sound education that will make a man really healthy, wealthy and wise which led him to prepare his comprehensive scheme for the establishment of a Hindu University (Bharatiya Viswa Vidyalyaya) at Benares. It is not to be expected that there can be unanimity of opinion in regarded to a complicated scheme of that description and even among those who are on the whole of his way of thinking there is naturally considerable misgiving about the ultimate success of so costly an undertaking. But Pandit Madan Mohan's faith is large and whoever may doubt and falter, he does not lose heart. Hope eternal runs in him like a sacred pillar of fire. In the language of a friend he is inspired by something of holy madness for realisation of the University project and it is not impossible that one of these days its beginning at least may become a fact. It is well-known in the circle of his friends that ever since he put forward this scheme "where scientific, technical and industrial education is to be combined with religious instruction and classical culture," he has been anxious to retire from his profession and dedicate himself to service for its realisation; so ardently he believes that that will be the greatest means of the improvement of the condition of his country. And it is believed—we may perhaps say feared—his circumstances are such—among those who know that now that his son Pandit Ramakanta Malaviya has joined High Court he contemplates to retire from his profession.

Pandit Madan Mohan has been an ardent champion of the Swadeshi movement for the last thirty years. So far back as 1881 a Deshi Tijarat company was started at Allahabad to promote the use of indigenous manufactures, and Pandit Madan Mohan was one of the prominent supporters of the company. And all these three decades he has consistently advocated the use of Swadeshi thing wherever they can be had, even if they are coarser and dearer than foreign manufacture citing the example of other countries which have preserved or promoted their industries by a similar policy. Without being a bodycotter he has always regarded it as part of

his religious duty to purchase country-made goods in preference to foreign ones even at sacrifice because by that means he would probably be the means of finding food for some humble countrymen of his who might otherwise remain hungry. Recently his interest in the industrial movement has increased. He is among those who helped in bringing into existence the Indian Industrial Conference and the United Provinces Industrial Association at Allahabad in 1907; and he has taken an active part in the deliberations of these bodies. His interest in technical education is keen and one of the attractions of his scheme of a University at Benares is that higher technical education is to be a most important feature of the University. He was member of the Naini Tal Industrial Conference held by Sir John Hewett's Government in 1907 and he had no small share in starting the Prayag Sugar Company, Limited, which is the direct fruit of the First U.P. Industrial Conference.¹³

In private life Pandit Madan Mohan Malaviya is a very charitable man. There is no great benefaction which can be mentioned to his credit, but there are unnumbered small acts of kindness to the needy which in reality reveal a man's secret springs of action. He is deeply interested in social and philanthropic work and is never happier than when engaged in relieving some human misery.

"The drying of a single tear has more
Of honest fame than shedding seas of gore,"

said Byron. When plague first broke out in Allahabad the Collector, Mr. Ferard, C.I.E., who has always been a popular officer, asked Pandit Madan Mohan, who was a Vice-Chirman of the Municipal Board, to help in taking steps to prevent the disease from spreading. He did so cheerfully. For over a fortnight he personally superintended the disinfection of a dark lane in a *mandi* where it had broken out and where deaths had occurred in almost every house. His example was followed by his fellow-Commissioners when the disease spread to other parts of the city. He then initiated the movement the establishment of a health camp in Sobhatia Bakh in which about 1,900 families found absolute protection from plague. Mr. Malaviya used to attend the camp both morning and evening in the first year. He also used to go to see the plague hospital and encouraged people to go there. IN the following year the health camp became so popular that at one time nearly 3,000 persons were living in perfect safety there.¹⁴

In the Legislative Council he has earnestly urged the Government to encourage the building of model *bustees* by Government, and the establishment of Lukerganj with its excellent rows of houses is part at least the result of his advocacy. He has also been urging for years the opening up of congested areas in the larger cities of

the province which is being carried out now in Allahabad and Cawnpore. Pandit Madan Mohan was a member of the Sanitary Conference held at Naini Tal by the Local Government. The idea of the establishment of a Hindu University at Benares for which the Pandit has been incessantly labouring has become an accomplished fact. The foundation stone for the University building was laid by Lord Hardinge amidst circumstances of the most unparalleled pomp and enthusiasm in the presence of the ruling princes and nobles of the country. In his splendid speech to the assembled magnates, the Ex-Viceroy referred in growing terms to the untiring labours of the Pandit and the Maharaja of Darbangha to whom all India owes a deep debt of gratitude for their great service in the national cause.

Malaviya has always been a staunch and persistent advocate of the industrial regeneration of India. When the Industrial Commission presided by Sir Thomas Holland was appointed to collect evidence in respect of the industrial possibilities of the land, Mr. Malaviya was invited by the Government to be a member of the Commission. The Commission concluded its labours towards end of 1918 and Malaviya submitted a dissenting minute in which he has drawn pointed attention to the gross neglect of Indian interests by the Government and has inveighed against the step Motherly care which Government has taken whenever Indian interests were concerned. The dissenting minute of Mr. Malaviya is a masterly criticism of the Government's industrial policy and is bound to be of permanent importance as such.

Malaviya was one of the nineteen members of the Imperial Legislative Council who signed and published the draft scheme of reforms now known as the Memorandum of the Nineteen. The memorandum was approved by the Indian National Congress and the Muslim League and declared to contain the irreducible minimum of reforms which alone could satisfy Indian public opinion. The cardinal features of the draft scheme were fiscal autonomy and a complete subordination of the Executive to the Legislature—the *sine qua non* of full and responsible self-government. Instead of full and responsible self-government, the Montford scheme of reforms has given what is called an opportunity of training ourselves for it, as if we are not now fit for it and as if it is not our birth-right.

The atrocities perpetrated by the authorities in the Punjab evoked a very strong protest from Mr. Malaviya in the Imperial Legislative Council and the series of searching questions which he put to the Government perturbed the official benches in no small measure. Indeed, so exasperated was Sir Michael O'Dwyer at the fearless criticism of Pandit Malaviya that he could find no argument but personal abuse in his reply for which the Viceroy had to openly rebuke him. Pandit

Malaviya's labours on the Congress Committee which enquired into the Punjab disorders and his untiring efforts in the Imperial Legislative Council to have justice done to the helpless victims in the Punjab are beyond all praise. The systematic and stubborn resistance which government has offered at every turn whenever Mr. Malaviya has pleaded for justice being done to his countrymen has to some extent at least shaken his faith in the Government and to that extent at least he has signified his protest by withdrawing his candidature for election to the new Reformed Legislative Assembly though not a non-co-operator in practice, he approves of the movement in principle as the only possible and ultimate way of making the Government feel that the many and grievous wrongs which the Bureaucracy has inflicted on India must at once be redressed by the immediate grant of Swaraj. For all his services to the motherland in championing the cause of Self-Government, of national education and industrial regeneration, Malaviya has the fullest assurance that his countrymen owe him a very deep debt of gratitude and it is our sincere prayer that he may be spared for many years to come to further promote the welfare of India which he has at heart.

Pandit Madan Mohan Malaviya has been one of the shining lights of the Constitutional Movement in India. He has attended nearly every one of its sittings since 1886, and has invariably spoken at every one of them on some of the day. But the subject to which he devoted special attention and on which he spoke with his owned knowledge and enthusiasm at every succeeding session of the Congress was in connection with the expansion of the Legislative Councils. Year after year Pandit Malaviya urged with his colleagues in the Congress for an adequate of political power for Indians in the governance of their country. A close student of constitutional questions, he formulated his views on the federal system of Government for India in his evidence before the Decentralisation Commission in 1908.

The unitary form of Government which prevails at present should be converted into the *federal system*. The Provincial Governments should cease to be mere delegates of the Supreme Government, but should be made semi-independent Governments. A similar proposal was, I believe, put forward before the Government about the time when Lord Mayo determined to invest Provincial Governments with a share of financial responsibility in order to minimise the evils of over-centralisation . . . The Government of India should retain in its hands, as at present, all matters relating to foreign relations, the defences of the country, currency, debt, tariffs, post, telegraphs and railways. It should continue to receive all the revenue and receipts derived from heads which are at present

called 'Imperial'. To meet the ordinary Imperial expenditure which will not be met by these receipts, it should require the various Provincial Governments to make a ratable contribution based on a definite and reasonable principle, having secured this, the Government of India should leave the Provincial Governments perfect freedom in levying and spending their revenues as they may consider best in the interests of the people. It should exercise its power of imposing additional general taxation in any Province, only when it has to meet any extraordinary expenditure, and when the Province or Provinces concerned have refused to give the assistance required. This will impose a very much needed and healthy check upon the spending tendencies of the Government of India and make it possible for the Provincial Governments to retain in their hands and to devote at fair proportion of their revenues to promote the well-being of the people.

The Minto-Morley Reforms

Soon after, Lord Morely, of whom great things were expected, outlined a scheme of reforms which was published in the form of a despatch in 1908. It was well-known that he was in constant consultation with the Viceroy and a few select and leading Indians, and when the proposals were actually published there were as usual divergent opinions on the adequacy or otherwise of the reforms. Pandit Malaviya along with other moderate leaders welcomed the scheme "as marking the beginnings of a new era." He wrote in the *Indian Review* for December of that year:¹⁶

The people and the Government have both to be congratulated on the proposal of reforms which have been put forward by the Government of India and the Secretary of State. The reforms have been conceived in a truly liberal and praise-worthy spirit. They will, when carried out, mark the beginning of a new era, full of hope and promise for the future.¹⁷

I have hopes that the reforms will be made still more liberal and beneficial before they take their final shape. The Government are to be particularly congratulated upon deciding to create a non-official majority in the Provincial Councils. I venture to say that they should have adopted the same course in regard to the Supreme Council. It would be quite safe and wise to do so. If, however, that must be postponed for the future, then the proposals of His Excellency the Viceroy to have an equal number of official and non-official members in his Council should at least be accepted.

The proposed reforms mark the second great triumph of the Congress movement—the first having been the passing of the Indian Councils Act of 1892.¹⁸

While in November 1909, Pandit Madan Mohan was by the decision of the All-India Congress Committee elected president of the Lahore Congress, as Sir P.M. Mehta had declined the office, the Pandit's election was welcomed on all hands.¹⁹

Though called upon to fulfil the high office of the President of the Congress for the first time and with a very short notice, the Pandit's pronouncement was worthy of the man and the occasion. And the Address naturally dealt at length with the Minto-Morley Reforms, and in particular with the regulations the Bureaucracy had made to put them into operation. Though only a few months before the Pandit had welcomed the proposals as truly liberal and comprehensive in spirit, yet his enthusiasm for the scheme like that of his fellow-workers in the Congress cause had been greatly damped by the rigour of the regulations by which it had been hedged round. After enumerating the various regulations framed by the Bureaucracy the Pandit made a memorable appeal which is well worth recalling even on the present occasion :

The regulations framed to give effect to them have unfortunately departed, and widely too, from the spirit of those proposals, and are illiberal and retrogressive to a degree. Educated Indians have been compelled to condemn them. They have done so more in sorrow than in anger. Let the Government modify the Regulations to bring them into harmony with the spirit of Lord Morley's proposals, and in the name of this Congress, and, I venture to say, on behalf of my educated countrymen generally, I beg to assure the Government that they will meet with a cordial and grateful reception. (Cheers.) I do not ignore the fact that there is an assurance contained in the Government's Resolution accompanying the Regulations that they will be modified in the light of the experience that will be gained in their working. That assurance has been strengthened by what His Excellency the Viceroy was pleased to say in this connection both at Bombay and Madras. But I most respectfully submit that many of the defects pointed out in them are such that they can be remedied without waiting for the light of new experience. And I respectfully invite both Lord Morley and Lord Minto to consider whether in view of the widespread dissatisfaction which the regulations have created, it will be wise to let this feeling live and grow, or whether it is not desirable in the interests of good administration, and to fulfil one of the most important and avowed objects of the Reforms, namely the allaying of discontent and the promotion of good will

between the Government and the people, to take the earliest opportunity to make an official announcement that the objections urged against the regulations will be taken early into consideration.²⁰

As A Member of the Viceregal Council

Pandit Malaviya was by this time recognised as one of the few leading men of the Congress and alike by his services in the United Provinces Legislative Council and to the country at large deserved his elevation to the Viceregal council. Since 1910 he has continued to sit in the Imperial Legislative Council without interruption and taken part in every important debate with his accustomed zeal.

Gokhale's Education Bill

Interested as ever in all educational problems the Pandit warmly supported the late Mr. Gokhale's Elementary Education Bill. His support was quite emphatic. "Every civilized country" said he, "has found that compulsion is the only means by which universal education can be secured. No country has succeeded without it, and we cannot expect to succeed without it."

Indentured Labour²¹

Another subject on which his voice was more than once raised was in connection with the question of Indentured Emigration. In 1910 Mr. Gokhale had pleaded in vain for the abolition of this "monstrous and iniquitous system." During the regime of H.E. Lord Hardinge, Pandit Madan Mohan raised his protest against the iniquities of the system and urged its immediate abolition. He rightly characterised it as "an unmitigated curse." His European colleagues in the Council must have greatly felt the force of his arguments when he said :

European labour is employed all over the world, but nowhere are such degrading restrictions attached to it as those that attach to Indian labour. And although the European labourer is far more capable of judging of his own interests than the Indian labourer, the greatest care is taken to ensure that he has understood the exact terms of his contract. And then the contract which is always for a very short period, is a purely civil contract, and can be cancelled if the labourer can prove in a Court of Justice before a magistrate of his own race that unfair advantage was taken of his ignorance.

He wound up his great speech on that occasion with the following telling appeal:

The system has worked enough moral havoc during 75 years. We cannot think my Lord, without intense pain and humiliation of the blasted lives of its victims,

of the anguish of soul of which our numerous brothers and sisters have been subjected by this system. It is high time that this should be abolished.

The appeal this time did not fall on deaf ears. H.E. Lord Hardinge announced that he and the Secretary of State for India had decided that the system should be doomed for ever.

It is unnecessary to dwell at length on the many topics which formed the subject matter of his speeches in the imperial Council during the last eight years. Suffice it to say that in all subject he gave expression to the people's will. Nor need we refer to his speeches in connection with the passing of the Hindu University Bill which in a way may be said to constitute his life-work. On the termination of H.E. Lord Hardinge's regime he spoke in just appreciation of His Excellency's administration, his great services to the people of this country and his jealous regard for the honour and self-respect of India and her millions. Again during the discussions on India and the War he warmly supported the rally of India to the Empire and though unable to see eye to eye with some of his colleagues on the capacity of this country to bear the increasing financial obligations entailed by constant contributions towards the war, he urged with Mr. Gandhi for increasing participation in the actual fighting at the front.

Self-Government for India

It is now necessary to go back to the Pandit's work in connection with the Congress demand for Self-Government. From the days of the Lahore Congress the demand for Self-Government on colonial lines became more and more pronounced. The outbreak of the European war and India's unbounded enthusiasm for participating in the burden and glory of the Empire quickened her consciousness of strength, while the generous utterances of British statesmen not merely on India's substantial help but also of the great ideals of freedom and self-determination fired her imagination to the possibilities of a quicker transition. The Congress accordingly passed resolutions demanding Self-Government and the Muslims League soon followed suit. It was the Pandit's privilege to expound the scheme to numerous audiences. In October 1916 Pandit Malaviya signed along with other non-official members of the Imperial Council what is now known as the famous Memorandum of the Nineteen. The Lucknow and the Calcutta Congresses confirmed the Self-Government Resolutions of the previous Sessions. But any scheme devised by the wit of man is liable to be misunderstood, and the Congress-League scheme was no exception. Some went too far and demanded in the name of the Congress and the Muslem League what to others appeared altogether without

warrant in the terms of the scheme. The Hon. Pandit now went on a tour round the country expounding the demands of the Congress, and the propaganda work was in full swing on either side when at the top of it all came the sudden internment of Mrs. Besant.

Though the Pandit had been differing from Mrs. Besant, from her views and some of her methods, yet he felt it his duty in common with his countrymen throughout India to help in the agitation for the release of the internees.

Unmindful of the Government's deliberately adopted repressive policy Pandit Malaviya continued to urge the need for reforms on the lines chalked out by the Congress and the League, and both at the special Provincial Conference at Lucknow in August 1917 and at the Calcutta Congress in December he spoke in the same strain. He said at the latter in supporting the Congress-League scheme of Self-Government :

The Congress-League scheme is a natural and rational advance upon the lines under which political institutions have been working so far in this country. It is therefore no good telling us that our scheme does not fit in with the schemes formulated in other countries. The Congress-League scheme is suitable to the conditions in India. Some of our critics tell us that responsible government means a government which is responsible to the representatives of the people and removable at the pleasure of the representatives. I wish these critics showed a little more consideration, a little more generosity, in dealing with us and credited us with a little more common-sense. Self-Government means that the Executive is responsible to the people. When we spoke of Self-Government we spoke of Self-Government on colonial lines. In the colonies the Executive is responsible to the Legislature. That being so it is entirely wrong to say that in asking for self-Government we are asking for something less than responsible Government. It is said that we might have put into our scheme a little more generosity and little more enthusiasm but you must remember that when they put it forward they had not only to think of you and me, but of the bureaucracy and all those who are represented by Lord Sydenham, and the framers were probably wiser in couching it in a language which may not satisfy us, but which has in it all the promise of the realisation of responsible Government in the near future. The resolution says that Self-Government should be introduced by stages.

Among the ex-Presidents of the Congress, Pandit Madan Mohan was the solitary individual who attended the session, and tried his best to tone down the resolutions

of the Special Congress on the Montagu-Chelmsford scheme. The presence of him and a handful of moderates was not of much avail; for the special Congress did pronounce the scheme as disappointing and unsatisfactory, while the moderate Conference which was subsequently held in Bombay welcomed the scheme as a definite step in advance but made several constructive suggestions not altogether dissimilar to those passed at the Congress. A definite split had taken place and Pandit Madan Mohan did his best to induce the moderate leaders to reconsider their decision to abstain from the Congress. About this time Mr. Tilak had been declared the President-Elect of the Delhi Congress, and friends of the Congress who anxiously expected that the split would be made up felt that the election of Mr. Tilak blasted all hopes in that direction. On Mr. Tilak's voluntary resignation of his office in view of his departure to England, the majority of members of the All-India Congress Committee who were anxious that the two parties should once again unite at Delhi by an overwhelming majority, fixed their choice on Pandit Madan Mohan, as the most suitable president of the Delhi Congress.

A few days after his election, Malaviya made through the columns of the *Leader* and eloquent appeal to the public for united action.

His appeal was no doubt responsible for the presence of a few of the moderate at the Delhi Congress; and despite the absence of several of the veterans of Congress the Delhi session was very largely attended, and for the first time at the special call of the President there were also present a large number of tenant delegates. Pandit Madan Mohan delivered a long and interesting address in which he labored to point out that there was not much difference between the views of the Special Congress and those of the Moderate Conference, for on many vital points of constructive criticism on the scheme there was a consensus of opinion. He then made an eloquent plea for India's right to self-determination. The following passage from his address is bound to touch the heart of every patriotic Indian :

Now the principle that runs through the peace proposals is the principle of justice to all people and Nationalities and their right to live on equal terms of liberty and safety with one another. Each nation is to be given freedom to determine its own affairs and to mould its own destinies. Russia is to have an unhampered and unembarrassed opportunity for her own political development and National policy. Austria-Hungary is to be accorded the opportunity of autonomous development. International guarantees of political and economic independence and territorial integrity are to be secured to the Balkan States and to the independent Polish States which are to be created. Nationalities are to be assured security of life and autonomous development. In the adjustment of

Colonial claims the principle to be followed is that, in determining such questions the sovereignty and interests of the population concerned are to have equal weight with the equable claims of the Government whose title is to be determined. How far are these principles of autonomy and self-determination to be applied to India? That is the question for consideration. We are happy to find that the Governments of Britain and France have already decided to give effect to these proposals in the case of Syria and Mesopotamia. This has strengthened our hope that they will be extended to India also. We standing in this ancient capital of India, both of Hindu and Muhammadan period—it fills me, my countrymen and country-women, with inexpressible sorrow and shame to think that we the descendants of Hindus who ruled for four thousand years in this extensive Empire and the descendants of Musalmans who ruled here for several hundred years should have so far fallen from our ancient state that we should have to argue our capacity for even a limited measure of autonomy and self-rule.

The Indian Industrial Commission

We now pass on to his labours in another important direction. The Indian Industrial Commission was appointed by the Government of India on the 19th May 1916, with Sir Thomas Holland as President and Pandit Madan Mohan Malaviya was appointed as a member of the Commission, obviously to represent the Indian non-official public, and his appointment was hailed with satisfaction by the public at large. It concluded its labours at the end of the year 1918 and presented a report to which the Pandit contributed a long and interesting note pointing out his differences with his colleagues and suggesting many important measures to enable India to develop her industries in her own interests and in her interests only. His note is in itself an important contribution to the study of the Industrial and economic history of India, and his criticisms coupled with his suggestions embody many constructive proposals which Indians have long been urging for the industrial advancement of their country.

The Pandit concluded his note by endorsing the following generous and wise words of Sir Frederick Nicholson :

‘I beg to record my strong opinion that in the matter of Indian Industries we are bound to consider Indian interest firstly, secondly and thirdly.—I mean by ‘firstly’ that the local raw products should be utilized by secondly, that Industries should be introduced and by ‘thirdly’ that profits of such industries should remain in the country.’

If measures for the industrial development of India are taken in this spirit, India will become prosperous and strong, and England more prosperous and stronger.

Pandit Madan Mohan Malaviya's services to the Congress and to the political life of India have been great indeed; but greater and more enduring still of his selfless labours for the causes of his motherland has been his idea and the successful launching of the Hindu University for India at Benares. It is now over quarter of a century since he dreamt his dream of a Hindu University.

The story of the Pandit's many tours and wanderings throughout the country in aid of funds for the University must be known to all who have watched the progress of this movement. How he toiled night and day, how he gave up his large and lucrative practice at the Bar in his labours for the establishment of the Hindu University are too well known to be recounted here. The enthusiasm of the country at large and the sincerity and the earnestness with which Pandit Madan Mohan toiled hard to bring the institution into existence, obtained for it the necessary funds and the Government of India took up the matter seriously to give it the charter which it so well deserved. In Lord Hardinge, Pandit Madan Mohan found a sincere friend of India and no time was lost in introducing the Benares Hindu University Bill. On the 22nd March 1915, the Hon. Sir Harcourt Butler moved for leave to introduce the Bill. Pandit Madan Mohan whose labours in the cause of the movement have been quiet and unobtrusive made a speech in welcoming the Bill and he took the occasion to proclaim once more that though the University would be a denominational institution, it would not be a sectarian one :

It will not promote narrow sectarianism but a broad liberation of mind and a religious spirit which will promote brotherly feeling between man and man.

Since the establishment of the University the Pandit has been working the sudden and unceasingly for placing it on a proper basis. When the last year unexpected demise of Pandit Sunder Lal created a vacancy in the office of Vice-Chancellor, Pandit Madan Mohan's name was uppermost in the lips of the electors, but he who had been working for years subordinating his name and fame would not accept the office but insisted he should be allowed to work for it in his own quiet and unostentatious manner.

REFERENCES

1. Mahatma Gandhi called him '*Bharat Ratna*' on account of several merits in him.
2. *Aaj*, 5 January 1937, and NAI, Home Poll. 1937, F. 12.
3. *Ibid.*

4. See *The Leader*, 11 Feb. 1916, a leading newspaper from Allahabad.
5. Malaviya ji was fond of music from his early life.
6. See the Commemoration volume, published under the auspices of B.H.U
7. *Ibid.*
8. *Ibid.*
9. National Herald, 3 Nov. 1946. It was started under the auspices of the Congress.
10. *Ibid.*
11. C.F. Andrews, *The Renaissance in India*, London, 1912, pp. 169-70.
In fact Andrews was a sincere and true Gandhian. He started his career as a teacher in St. Stephen's College, Delhi.
12. *Ibid.*
13. *Aaj*, 20 Feb. 1945.
14. *Ibid.*
15. *Ibid.*
16. Lajpat Rai, *England's Debt to India*.
17. *Indian Review*, Dec. 1908; a prominent research journal.
18. *Ibid.*
19. See the Proceedings of Indian National Congress session in Lahore in 1909; well-recorded in the AICC papers and *The Tribune*, Lahore.
20. *Ibid.*
21. Undoubtedly Malaviya ji was a very fine orator in public as well as in speeches and writings.
22. *Ibid.*

3

Congress Leader

Pandit Madan Mohan Malaviya was honoured to chair the presidential chair of the Indian National Congress thrice i.e. in 1909, 1918 and 1933.¹ It was indeed a rare honour conferred on very few national leaders. It is evident that his contribution in the socio-economic and political problems is unique in the annals of our sub-continent. He chaired the two sessions at crucial times. In 1909 when the Congress was twenty-four years old, the political atmosphere in the country was tense on account of the Swadeshi Movement, the controversy among the moderates and extremists resulting into the split in the Congress, the Minto-Morley reforms and last but not the least the demand for the annulment of the Partition of Bengal.

In his comprehensive presidential speech, Madan Mohan Malaviya dealt with several crucial issues facing the nation at that point of time.² He was critical of the administrative measures undertaken by Lord Curzon. He criticised the Partition of Bengal which had filled the cup of discontent in India. He dealt with the issue of nonofficial majorities and opined that 'the provision for a nonofficial majority has been reduced to a practical nullity.' He also dealt with problems like sanitation and education, technical and industrial education, provincial decentralisation, reduction of expenditure, higher careers for Indians, Indians in South Africa, anarchical crimes, deportations and partition, the national ideal, council reforms, reform scheme in the Punjab, reform scheme in Central Provinces and Berar, Indians in the army and separation of judicial and executive functions.

After a decade, Malaviya was again honoured to chair the presidency of the Indian National Congress in 1918 at Delhi. It was the war time; Gandhi had arrived on the political scene of India, and he had successfully launched the Champaran Satyagraha a year earlier. The global war for half a decade was the testing phenomenon for the Raj as it had to bear several losses in men and money. The August 1917 Declaration by Montagu was a little consolation for the growing political aspirations of the Indian National Congress. At this point of time, Madan Mohan Malaviya during his presidential speech dealt with several issues like the global war and the involvement of the Raj, India and the Peace Conference, India

and the results of the war, the opt-repeated principle of selfdetermination, recommendations of the Rowlatt Committee, reforms, women's franchise, representation at the peace conference, the industrial commission and the release of Ali Brothers.

In 1933 he was honoured for the third time to deliver the presidential address at the session of the Indian National Congress to be held at Calcutta. He accepted this honour, but could not attend the session owing to his detention in Asansol. The address was however written by him and he dealt with the learning political issues like the detention of Mahatma Gandhi and several other leaders and satyagrahis in all the regions of India, the Civil Disobedience Movement, Congress and the Round Table Conference, Gandhi-Irwin Pact and its implications, goal of independence, the concept of boycott and the fundamental rights.

Presidential Address by Pandit Madan Mohan Malaviya

Brother-Delegates, Ladies and Gentlemen,

When I received intimation in a rather out-of-the-way place in the mofussil where I was engaged in professional work, that some Congress Committees had very kindly nominated me for election as President of the Congress, I wired, as there was no time to be lost in the matter, to my honoured friend Mr. Wacha, the General Secretary of the Congress, to inform him that I was too weak from the effects of a recent illness, as I am sorry to say I still am, to be able to undertake the duties and responsibilities of the high office of President of the Congress.

I need hardly say, ladies and gentlemen, that it was not that I did not fully appreciate the high honour which it was proposed to confer upon me. The Presidentship of the Congress, as has often been said, is the highest honour that can come to any Indian. But, I am sorry to confess, I was not cheered up by the prospect of receiving it, because I really believed that I did not deserve it. I knew how unworthy I was to occupy the chair which had been filled in the past by a succession of eminently able and distinguished men who had established their title to the esteem and confidence of their countrymen long before they were called on to preside over this great national assembly of India. Besides this general consideration, I had present to my mind the special fact that I would be required to fill the chair which Congressmen all over the country and the public at large had been expecting would be graced by that distinguished countrymen of ours who towers above others by his commanding ability and influence, I need hardly name Sir Pherozeshah Mehta; and I felt that the election of a humble soldier from the

ranks as I am, to step into the breach created by the retirement of such a veteran leader could but deepen the already deep disappointment and regret which has been felt all over the country by his resignation of this office. In addition to all this, I could not forget that with the exception of a single short speech, I had never in my life been able to write out a speech, and I could not expect, especially when there were hardly six days left before me to do it, to be able to write out anything like an address which is expected from the Presidential Chair of the Congress. But, ladies and gentlemen, all my objections expressed and implied, were overruled, and such as I am, I am here, in obedience to the mandate issued under your authority, to serve you and our Motherland as best I may, relying on the grace of God and the support of all my brother-Congressmen. This fact cannot however diminish, it rather deepens, the gratitude which I feel to you for the signal honour you have conferred upon me in electing me your President at this juncture. Words fail me to express what I feel. I thank you for it from the bottom of my heart. You will agree with me when I say that no predecessor of mine ever stood in need of greater indulgence and more unstinted support from the Congress than I do. I trust you will extend it to me with the same generosity and kindly feeling with which you have voted me to this exalted office.³

Before I Proceed to deal with other matters, it is my painful but sacred duty to offer a tribute of respect to the memory of two of the past Presidents of the Congress and of one distinguished benefactor of the country whom the hand of death has removed from our midst.⁴

Even more poignant and profound has been the regret with which the news of the death of Mr. Romesh Chandra Dutt has been received throughout the country. Mr. Dutt has had the glory of dying in harness in the service of his Motherland. I is not for me to dwell here on the varied and high attainments and of the various activities of a life which was so richly distinguished by both. Time would not permit of my referring to Mr. Dutt's work on the Decentralisation Commission or in Baroda, or to his numerous contributions to literature, history and economic. But I cannot omit to mention his contributions to the vernacular literature of Bengal. Mr. Dutt recognised with the true insight of a statesman that to build up a nation it was necessary to create a national literature and he made rich and copious contributions to the vernacular of his province. An able administrator, a sagacious statesman, distinguished scholar, a gifted poet, a charming novelist, a deep student of Indian history and economics, and, above, all, a passionate lover of his country who united to a noble pride and deep reverence fro its glorious past, a boundless faith in the possibilities of its future, and laboured incessantly for its realisation up

to the last moment of his life. Mr. Dutt was a man of whom any country might be proud. It was no small tribute to his work and worth that that patriot-prince, the Gaekwar, chose him for his adviser, and found in him a man after his heart. Grievous would have been the loss of such a man at any time; it is a national calamity that he should have been taken away from us at a time when his country stood so much in need of his sober counsel and wise guidance.⁵

He was loved because he made the most courageous attempt to act up to the spirit of the noble Proclamation of 1858, to obliterate race distinctions and to treat his Indian fellow-subjects as standing on a footing of equality with their European fellow-subjects. He was respected because he was a

“Statesman, Yet friend to truth, of soul sincere,
In action faithful, and in honour clear.”

He was respected because he was a God-fearing man, and showed by his conduct in the exalted office he filled as Viceroy of India, that he believed in the truth of the teaching that righteousness exalteth a nation. He was loved because he was a type of noblest of Englishmen who have an innate love of justice, and who wish to see the blessings of liberty which they themselves enjoy extended to all their fellow-men. Educated Indians were deeply touched by the last instance of his Lordship's desire to befriend the people of India, when he went down to the House of Lords from his bed of illness in the closing days of his life, to support Lord Morley's noble scheme of Reform and to bid the noble lords who were opposing some of its beneficent provisions to be just to the people of India. It is matter of profound grief that such a noble of India. It is matter of profound grief that such a noble Englishman is no more. And yet the Marquis of Ripon lives, and will ever live in the grateful memory of generations of Indians yet to come.

Ladies and Gentleman, it was the educated class in India who first the desire for the introduction of Self-Government—the government of the people through the elected representatives of the people—in India. This desire was the outcome of the study of that noble literature of England which is instinct with the love of freedom and very eloquent of the truth that Self-Government is the best form of government.⁶ To my honoured friend, Bapu Surendranath Banerjea, whom we are so pleased to find here today, growing older and older in years but yet full of the enthusiasm of youth for the service of the Motherland,—to Babu Surendranath will ever belong the credit of having been among the very first of Indians who gave audible expression to that desire.

It was he and our dear departed brother Mr. Ananda Mohan Bose who established the Indian Association of Calcutta in 1876, with the object, among

others, of agitating for the introduction of a system of representative government in India. This desire was greatly strengthened by the deplorable acts of omission and commission of Lord Lytton's administration, to which, by the way, the administration of Lord Curzon bore in many respects a striking family resemblance.

The feeling was not confined to Bengal. About the same time a remarkable paper was published in my own Province, the then N.W. Provinces, by the late Pandit Lakshmi Narayan Dar in which he strongly advocated the introduction of representative government in India. The Liberal Party did not disappoint India, and it could not, as it was then under the noble guidance of that greatest Englishman of his age, William Ewart Gladstone, who was one of the greatest apostles of liberty that the world has known. Mr. Gladstone never rendered a greater service to this country than when he sent out Lord Ripon as Viceroy and Governor General of India.⁷

Lord Ripon also tried to disregard distinctions of race, colour and creed and appointed Indians to some of the highest posts in the country. His measures were intensely disliked by a large body of Europeans and Anglo-Indians, official and non-official. And when he endeavoured subsequently, by

This Congress of educated Indians put forward a Reform of the Legislative Councils in the forefront of its programme, because it was not only good in itself but it has the additional virtue, at the late Mr. Yule happily put it, of being the best of all instruments for obtaining other Reforms that further experience and our growing wants might lead us to desire. It respectfully drew the attention of the Government to the poverty of vast numbers of the populations and urged that the introduction of representative institutions would prove one of the most important practical steps towards the amelioration of their condition.⁸

It is sad to recall that as the Congress continued to grow in strength and influence, some of our Muslim fellow subjects of the Aligarh School and some members of the landed aristocracy came forward openly to oppose it. Notwithstanding, however, all the opposition of the Anglo-Indian Press and of The Anglo-Indian bureaucracy, notwithstanding also the opposition of our Mohammedan Fellow-subjects and the indifference of the landed aristocracy, the educated middle class continued to carry on the good work they had begun. They soon found a powerful champion in the late Mr. Bradlaugh, and achieved the first victory of the Congress when, as the direct result of its agitation, the Indian Councils Act was passed in 1892 and the Legislative Councils, were reformed and expanded. The attitude of the bureaucracy towards the educated class did not, however, show any change for the better. In fact, their dislike of them seemed to

grow as they continued to agitate for further reforms. And lest they might displease the officials, our Mohammedan fellow-subjects, as a body, continued to hold themselves aloof from the Congress and never asked for any reform in the constitution of the Government. So also the landed classes.

The educated middle class, the men of intellect, character and public spirit, who devoted their time to the study of public questions and their energies to the promotion of public good, felt, however, that the reforms which had been effected under the Act of 1892 still left them without any real voice in the administration of their country.

At this stage came Lord Curzon to India. On almost every question of importance he adopted a policy the very reverse of that for which educated Indians had for years been praying. He showed unmistakable hostility to the educated class in India, and he is responsible for having greatly fostered it among some of his countrymen whom he has left behind in power.⁹ His attempt to lightly explain away the pledges solemnly given by the Sovereign and Parliament in the Proclamation of 1858 and in the Act of 1833, his officialising Universities Act, his overt attack upon Local Self-Government, and last, but not the least, his high-handed Partition of Bengal in the teeth of the opposition of the people of that province, filled the cup of discontent to the brim, and deepened the conviction in the minds of educated men that India could never be well or justly governed, nor could her people be prosperous or contented until they obtained through their representatives a real and potential voice in the administration of their affairs.¹⁰

This conviction found the clearest and most emphatic expression in the Congress which met in Calcutta in 1906. Mr. Dadabhai Naoroji, the revered patriarch of the educated community, speaking with the knowledge and experience born of a life-long study of the defects and shortcomings of the existing systems of administration and oppressed with the thought of the political and economic evils from which India has been suffering, declared in words of burning conviction that "Self-Government is the only and chief remedy. In self-government lies our hope, strength and greatness." Mr. Dadabhai did not urge that full-fledged representative institutions should at once be introduced into India. But he did urge, and the whole of educated India urged through him, that it was high time that a good beginning were made—"such a systematic beginning as that it may naturally in no long time develop itself into full legislatures of Self-Government like those of the self-governing colonies."¹¹

Happily for India, just as had happened at the end of Lord Lytton's administration, there was a change at the close of Lord Curzon's reign, of the Ministry in England and the Liberal Government came into power. The faith of a

large body of educated Indians in the efficacy of constitutional agitation had been undermined by the failure of all the efforts of the people of Bengal, made by prayer and petition, to avert the evil of the partition. But Mr. John Morley, who had long been admired and adored by educated Indians as a great lover of liberty and justice, happily became Secretary of State for India and the hearts of educated Indians began to beat with the hope that their agitation for a real measure of Self-Government might succeed during the period of his office. Our esteemed brother. Mr. Gokhale was appointed its trusted delegate to England by the Congress which met at Benares and over which he so worthily presided, to urge the more pressing proposals of Reform on the attention of the authorities there.

Ladies and gentlemen, up to this time, up to the beginning of October 1906, our Mohammedan fellow-subjects did not trouble themselves with any questions of Reforms in the system of administration. But there were some members of the Indian bureaucracy who were troubled with the thought that the liberal-minded viceroy seriously contemplated important constitutional changes in that system, and they knew that the statesman who was at the helm of Indian affairs in England was the high priest of liberalism. They saw that there was every danger, from their point of view, that the prayer of the educated class for the Reform and expansion of the legislative Councils, on a liberal basis, might be granted. They frankly did not like it. And it was at this time that our Mohammedan fellow-subjects of the Aligarh School were roused from their apathy and indifference. They suddenly developed an interest—and an excessive interest too—in politics. A Mohammedan deputation was soon got up and waited on Lord Minto. It claimed that Mohammedans were politically a more important community than other communities in India, and that they were therefore entitled to special consideration and even preferential treatment. I regret to say it, gentlemen, but it is my duty to say it, that the concession which His Excellency the Viceroy was persuaded to make to this utterly unjustifiable claim in his reply to that deputation, has been the root of much of the trouble which has arisen in connection with these Reforms. The bureaucracy had, however, gained a point. The proposals for Reform which were formulated in the letter of Sir Harold Stuart, dated 24th August 1907, gave abundant evidence of the bias of that body against those who had agitated for Reform.¹²

It gave the power to each section of the population to return a member in the proportion corresponding to its own-proportion to the total population. This scheme, as we all know, was received throughout the country with feelings of great gratitude and gratification. An influential deputation composed of the representatives of all classes of the people waited upon His Excellency the Viceroy

to personally tender their thanks for it to him, and through him, to Lord Morley. Did the educated class lag behind any other classes in welcoming the scheme? Did the feelings of grateful satisfaction find a warmer expression anywhere than in the speech of my honoured predecessor in offices who speaking in reference to it exclaimed that "the time of the singing of birds has come and the voice of the turtle is heard in our land"? The Congress unanimously passed a Resolution giving expression to the deep and general satisfaction with which the Reform proposals formulated in Lord Morley's Despatch had been received throughout the country, and it tendered its most sincere and grateful thanks to his Lordship and to Lord Minto for those proposals. It expressed the confident hope at the same time that the details of the proposed scheme would be worked out in the same liberal spirit in which its main outlines had been conceived. This unfortunately has not been done, and a very important part of the scheme has been so modified as to give just grounds of complaint to a large portion of the country.

Now, gentlemen, the feature of the Reforms which most appealed to the minds of educated Indians was the proposal to appoint Indians to the Executive Councils of the Governor-General of India and of the Governor's of Madras and Bombay, and the proposal to create similar Councils in the other large provinces of India, which were placed under Lieutenant-Governors. The most unmistakable proof of this fact was found in the thrill of grateful satisfaction which passed all over the country when the announcement was made of the appointment of Mr. Satyendra Prasanna Sinha as a member of the Viceroy's Council. And I take this opportunity of tendering our most cordial thanks for that appointment both to Lord Minto and to Lord Morley. That appointment has afforded the best proof of the desire of both their Lordships to obliterate distinctions of race, creed and colour, and to admit Indians to the highest offices under the Crown for which they may be qualified, and it has been most sincerely and warmly appreciated as such by thoughtful Indians throughout the country. Our friends in Bombay and Madras will soon have the satisfaction of finding an Indian appointed to the Executive Councils of the Governors, of their respective provinces.

The United Provinces which have a population of 48 millions, have been ruled all these many years and must yet continue to be ruled by a Lieutenant-Governor! Bengal, the population of which exceeds the population of the United Provinces by barely 3 millions, will have the benefit of an Executive Council. Not so the United Provinces; nor yet Eastern Bengal and Assam which have a population of 31 millions, nor the Punjab which has a population somewhat larger than that of the Presidency of Bombay! This is clearly unjust, and the injustice of it has nowhere been more keenly felt than in my own Provinces.

The people of the United Provinces have special reasons to feel aggrieved at this decision. So far back as 1833, Section 56 of the Charter Act of that year enacted that the Presidencies of Fort William in Bengal, Fort St. George, Bombay, and Agra shall be administered by a Governor and three Councillors. But this provision was suspended by an Act passed two years later mainly on the ground that "the same would be attended with a large increase of charge." The Act provided that during such time as the execution of the Act of 1833 should remain suspended, it would be lawful for the Governor-General of India-in-Council to appoint any servant of the East India Company of ten years' standing to the office of the Lieutenant-Governor of the North-Western Provinces.¹³

The work of administration has very much increased since this was written. And we have it now on the unimpeachable testimony of the Royal Commission on Decentralisation, who submitted their report early this years, that "with the development of the administration in all its branches, the growth of important industrial interests, the spread of education and political aspirations, and the growing tendency of the public to criticise the administration and to appeal to the highest Executive tribunals, the Lieutenant-Governors of the larger provinces are clearly over-burdened." Sir Antony MacDonnell who ruled over the United Provinces not many years ago, could not bear the strain of the work continuously for more than four years, and had to take six months' leave during the period of his Lieutenant-Governorship.

Gentlemen, this is not a mere sentimental grievance with us. We find that the Presidencies of Madras and Bombay which have had the benefit of being governed by a Governor-in-Council have made far greater progress in every matter which affects the happiness of the people than my own Provinces. And a conviction has gained ground in the minds of all thoughtful men that the Provinces will have no chance of coming abreast even of Bombay and Madras until they have a Government similar to that of those Provinces, so that there may be a reasonable continuity of Policy in the administration and the proposals of the Provincial Government may receive greater consideration than they do at present from the Government of India and the Secretary of State. Gentlemen, the noble lords and the members of the Anglo-Indian bureaucracy—both those who have retired who those who are still in service, who opposed the creation of an Executive Council for the United Provinces—have, I regret to say, done a great disservice to the cause of good government by opposition has caused deep dissatisfaction among the educated classes and has greatly chilled the enthusiasm which was aroused among them when the proposals of Lord Morley were first published. I would strongly urge upon

the Government the wisdom of taking steps to give an Executive Council at as early a date as may be practicable, not only to United Provinces but also to the Punjab, to Eastern Bengal and Assam, and to Burma.¹⁴

THE REGULATIONS¹⁵

Gentlemen, the question of the creation of Executive Councils affects, however, only particular provinces of India, but the Regulations that have been promulgated under the scheme of Reform have given rise to even more widespread and general dissatisfaction. I will therefore now ask you to turn your attention to these Regulations. We all remember that Lord Morley has put forward a most carefully considered scheme of proportional representation on the basis of population. We therefore regretted to find that, in the debate which took place on the Bill, his Lordship accepted the view that the Mohammedan community was entitled on the ground of the political importance which it claimed, to a large representation than would be justified by its proportion to the total population.

The Regulations which have been published, however, not only provide that they shall elect the number of representatives which has been fixed for them on a consideration not only of their proportion to the total population but also of their alleged political importance, by special electorates created for the purpose, but they also permit them to take part in elections by mixed electorates and thereby enable them to secure an excessive and undue representation of their particular community to the exclusion to a corresponding extent of the representatives of other communities. The system of single votes which was an essential feature of Lord Morley's scheme has been cast to the winds; the injustice of double and plural voting which Lord Morley tried to avoid has been given the fullest play.¹⁶

Let us next consider the restrictions that have been placed on the choice of electors in choosing candidates. In the Regulations for Bombay and Madras, and in those for Bengal also, eligibility to a membership of a Provincial Council has been confined to members of Municipal and District Boards only. This is a novel departure from the practice which obtained for the last seventeen years under the Indian Councils Act of 1892, and I regret to think that it is a departure taken without a full consideration of its result. The result is most unfortunate.¹⁷

The result of confining eligibility as a member of Council to members of Municipal and District Boards has, therefore, necessarily been to exclude a number of men of light and leading in every Province—excepting in my own where, I am thankful to say, no such restriction has been made—from being eligible for election. Under the operation of this short-visioned rule in Bengal, a number of the public

men of the province were found to be ineligible for election; and Sir Edward Baker had to modify the Regulations within barely three weeks of their having been published, to make it possible for some at least of the public men of his province to enter the Provincial Council. In Madras, Sir Arthur Lawley had to resort to expedient of nominating some of the ex-members of the Legislative Council, as members of Municipal and District or Taluq Boards in order to make the new Regulations. In Bombay, two ex-members of the Council had to enter municipal Boards, which they were only enabled to do by the courtesy of obliging friends who resigned their seats to make room for them, in order to qualify themselves for election to the Council.

According to this time-honoured teaching, education is the higher qualification and the possession of wealth the lowest. The Regulations have not merely reversed the order but have excluded education from the category of qualifications required to make a man eligible as a member of the Legislative Councils! The framers of the Regulation have taken no note of the fact that in this ancient land thousands of men of bright intelligence and pure character have voluntarily wedded themselves to poverty and consecrated their lives to the pursuit or promotion of learning or religion or other philanthropic object. The result is that so far as the Provincial Councils are concerned, in several provinces selfless patriots like Mr. Dadabhai Naoroji or Mr. Gokhale would not be eligible as members of those Councils. Regulations which lead to such results stand self-condemned.

Again, the clause relating to disqualifications for membership has been made unnecessarily stringent and exclusive. A person who has been dismissed from Government service is to be disqualified for ever for a membership of the Councils. Whether he was dismissed for anything which indicated any hostility to Government or any moral turpitude, or whether he was dismissed merely for disobeying or not carrying out any trumpery order, or merely for failing to attend at a place and time when or at which he might have been required, he must never be permitted to serve the Government and the people again even in an honorary capacity! It does not matter whether his case was rightly or wrongly decided, his having been dismissed constitutes an offence of such gravity that it cannot be condoned.

More objectionable still is clause (i) of the disqualifying section which lays down that a man shall not be eligible as a member of the Council if he has been declared by the Local Government to be of such reputation and antecedents that his election would, in the opinion of head of the Local Government be contrary to the public interest. Now, gentlemen, you will remember that in the debates in Parliament the

question was raised whether the deportation of a man under Regulation III of 1818 and similar Regulations would by itself disqualify him for sitting in a Legislative Council. Bearing probably in mind that a man might be deported without any just or reasonable cause, as it is believed happened in the case of Lala Lajpat Rai, Lord Morley could not perhaps bring himself to agree to a deportation being by itself made a ground of disqualification.¹⁸

We may take it that his Lordship gave his assent to clause (i) being enacted in the belief that it was less open to objection. But with due respect to his Lordship, I venture to submit that this clause is open to even greater objection than the disqualification of deportees as such would have been. In the case of a deportation, the Local Government has to satisfy the Government of India why action should be taken under any of the drastic Regulation relating thereto. This new clause empowers the Local Government on its own authority to declare a man to be ineligible, and thereby to do irreparable injury to his character.¹⁹

One of the most important features of the reforms which created wide-spread satisfaction was the promise of a non-official majority in the Provincial Councils. The Congress had, in the scheme which it put forward so far back as 1886, urged that at least half the members of both the Imperial and Provincial Legislative Councils should be elected and not more than one-fourth should be officials. Congressmen regarded this as the *sine qua non* for securing to the representatives of the people a real voice in the administration of their country's affairs. Lord Morley did not think it fit, however, to give us yet a non-official majority in the Imperial Legislative Council. We regretted the decision. But Lord Morley had been pleased to accept the recommendation for a non-official majority in the Provincial Legislative Council, and we decided to accept it with gratitude, in the confidence that after the Provincial Legislative Councils have worked satisfactorily for a few years under the new scheme, the more important concession of a non-official Majority in the Imperial Council was certain to come.

We are glad and thankful to find that a real non-official majority has been provided in the case of Bengal. And I take this opportunity of expressing our high appreciation of the large-hearted and liberal support which Sir Edward Baker has given to Lord Morley's proposals of Reform. It is due to that support that Bengal will shortly have the advantage of a Council Government. To Sir Edward Baker alone, among all the Governors and Lieutenant-Governors of the different Provinces, belongs the credit of having secured a non-official majority of elected members in the Legislative Council of the great Province over which he rules. The Regulations for Bengal lay down that out of a total of 49 Members of the councils,

26, i.e., more than half shall be elected, and that the members nominated by the Lieutenant-Governor shall not exceed 22, not more than 17 of whom may be officials, and 2 of whom shall be non-officials to be selected one from the Indian commercial community and one from the planting community. But in sad contrast to this stands the case of the second largest province of India, viz., the United Provinces.²⁰

Some of the other objections to which the Regulations are open have also been most forcibly illustrated in the case of my unlucky Province. Our Mohammedan fellow-subjects constitute only 14 per cent of the population there. But four seats have been allotted to them out of the total of 20 seats which are to be filled up by election in consideration of their proportion to the total population plus their alleged political importance. In addition to this they have been allowed to participate in the elections by mixed electorates and they have won two seats there. The Government has, besides, nominated two Mohammedans as non-official members. Thus out of 26 non-official members, 8 are Mohammedans. Among the elected members as many as 8 are representatives of the landed aristocracy and only 5 of the educated classes. The non-official majority has thus been reduced to a farce.²¹

Gentlemen, I will not detain you by dwelling on the defects of the Regulations for the other provinces. Speaking generally, we find that the Regulations have been vitiated by the disproportionate representation which they have secured to the Mohammedans and to the landed classes, and the small room for representation which they have left for the educated classes; also by the fact that they have made an invidious and irritating distinction between Muslim and non-Muslim subjects of His Majesty, both in the matter of the Protection of minorities and of the franchise, and lastly in that they have laid down unnecessarily narrow and arbitrary restricts on the choice of electors.

Gentlemen, the attitude of educated Indians towards the reforms has been misinterpreted in some quarters. Some of the criticism has been quite friendly and I am sure we all fully appreciate it. But I wish that our friends looked a little more closely into the facts. Their criticism puts me in mind of a very instructive ancient story. Vishvamitra, a mighty Kshatriya king, the master of vast hordes of wealth and of extensive territories, felt that there was a still higher position for him to attain, viz., that of being a Brahman, whose titles to respect rests not on any earthly possessions or power but on learning and piety and devotion to philanthropic work. He accordingly practised saintly and severe austerities, and, with the exception of one Brahman was Vashishta. Vishvamitra first tried to persuade Vashishta to

declare him a Brahman; then he threatened him; and having yet failed in his object, he killed a hundred children of Vashishta in order to coerce him into compliance with his desire. Vashishta was deeply distressed. If he had but once said that Vishvamitra had qualified himself to be regarded a Brahman, he would have saved himself and his hoary-headed wife and the rest of his family all the sorrow and suffering which Vishvamitra inflicted upon them. But Vashishta had realised the truth of the ancient teaching, *Satyam, Puttarshatad Varma*. He valued truth more than a hundred sons.²²

The Regulations framed to give effect to them have unfortunately departed, and widely too, from the spirit of those proposals, and are liberal and retrogressive to a degree. Educated Indians have been compelled to condemn them. They have done so more in sorrow than in anger. Let the Government modify the Regulations to bring them into harmony with the spirit of Lord Morley's proposals, and in the name of this Congress, and, I venture to say, on behalf of my educated countrymen generally, I beg to assure the Government that they will meet with a cordial and grateful reception. I do not ignore the fact that there is an assurance contained in the Government's Resolution accompanying the Regulations that they will be modified in the light of the experience that will be gained in their working. That assurance has been strengthened by what His Excellency the Viceroy was pleased to say in this connection both at Bombay and Madras.²³

I have done, Gentlemen, with the Reform Regulations. There are a few other matters, however, to which, I wish, with your permission, to invite attention. There is no doubt that at the present moment the Regulations occupy the greatest portion of public attention. But there are other causes of discontent, and some of them far deeper than the objections urged against the Regulations. Amongst them all there is none greater than the deep poverty which pervades the land. I do not wish to enter here into the controversy whether the poverty of the people has increased or diminished since the country came under British rule. What I ask is whether the condition of the people today is such as must reasonably have been expected from their being placed under a highly organised, civilised administration? Is that condition such as to be a ground for congratulation either to the Government or to the people? It is true that a fraction of the population have become more prosperous than they were before. But vast millions of the people are still dragging a miserable existence on the verge of starvation and large numbers of them have been falling easy victims to plague and fever. This is a question of vital importance, and deserves far graver consideration than it has yet received. The sufferings of the people have been greatly increased by the high prices of foodstuffs, which have ruled for the last

few years. The hardships to which the middle and poorer classes have been subjected can be better imagined than described.²⁴

Nearly two years ago the Government of India virtually promised that primary education would be made free all over the country. But that promise has not yet been fulfilled. The Government of India have for fifty years past by their declarations held out the hope that primary education would be made universal in India. We have been waiting and waiting to see this done. Many measures costing money which should not have been introduced have been carried out. Measures which should have been carried out have been kept back. Among this latter category has unfortunately fallen the question of making elementary education free and universal.²⁵

Along with this question should be taken up the question of technical education. If vast millions of people in this country are to be rescued from poverty, if new avenues of employment are to be opened and prosperity spread over the land, it is essential that an extensive system of technical and industrial education should be introduced in the country. The examples of other countries point out that to be the road to prosperity. Germany was not at one time noted as a manufacturing country. It has so greatly improved its position as to become a formidable rival to England. America has enriched herself beyond description by multiplying her manufactures and industries. Japan has, in the course of thirty years, altered her position from a mainly agricultural into a largely manufacturing country. The industrial progress and prosperity of every one of these countries has been built upon a wide-spread system of scientific, technical and industrial education. They people of India are not wanting in intelligence or industry. They are willing to undergo any amount of labour that may be required of them. But they lack of education, the skill of the trained man, and are therefore being beaten day by day by the manufacturers of every foreign country which has built up a system of technical education, and thereby laid the foundation of its industrial prosperity. The manufactures of these countries are flooding our markets and impoverishing our people. It is high time that the Government took up the question in right earnest, and adopted a system of technical education co-extensive with the needs of the country.

Under this system nearly three-fourths of the entire revenues of the country is taken up for Imperial purposes and only about one-fourth is left to provide for all Provincial expenditure. What hope can there be for improvement being effected in the condition of the people, of primary education being made free and universal, of technical education being promoted, of agricultural improvement being brought about, of sanitary surrounding being secured to the people, and of their being saved

from malaria, plague and famine, unless a very much larger proportion of the revenues derived from the people is allowed to be spent by Provincial Governments on purposes which directly benefit the people? What is needed is that the Government of India should require a reasonable amount of contribution to be made for Imperial purposes out of the revenues of each province, and should leave the rest of the revenues to be spent for Provincial purposes. It should require Provincial Governments to make an addition to their contributions when any special cause may arise therefore, but should look to revenues derived from what are called Imperial heads to meet the rest of its ordinary expenditure.

One great advantage of such a system will be that the Government of India will have to somewhat curtail or restrict its expenditure. And it is hardly necessary to say that there is crying need for such a reduction. In a present condition of the people, it is not possible, it will not be just, to raise taxation to a higher level than where it stands. But there is a source of revenue derivable from economy itself, and justice and the highest considerations of good government demand that this source should be tapped to a reasonable extent. For years together the Congress has been begging Government to practice economy in the various departments of its administration. In the first place, there is the military expenditure. Such a large proportion of the revenues is absorbed by it, that there is not sufficient money left for expenditure on many more useful directions. The Congress has been urging for years that the expenditure should be reduced; but it has unfortunately been very much increased. There are several ways of reducing that expenditure. One is to reduce the number of the men in the army. That probably the Government will not agree to. The second is that as the army is maintained not merely for the benefit of India but for Imperial purposes as well, the British treasury should contribute a fair proportion of the military expenditure of the British Indian Empire. This is a prayer which has often been urged in the past, and it is a prayer which we must urge yet again.

Higher Careers to Indians²⁶

The cost of the civil administration also is extravagantly high, and can well be reduced. The Congress has urged times out of number that the cheaper indigenous agency should be substituted whatever practicable for the costly foreign agency in all the various departments of the administration. It has urged that higher appointments should be thrown open to Indians in a much larger measure than they have been heretofore. We have urged this on the ground of economy as well as of justice. We are thankful to Lord Morley that he has appointed two of our Indian fellow-subjects as members of his Council. We are deeply thankful both to him and

to Lord Minto for their having appointed an Indian to the Executive Council of the Governor-General. What we feel, however, is that the claims of Indians to a reasonable share in the higher appointments in the service of their country will continue to have but a poor chance of being satisfied until all examinations relating to India which are at present held in England only, shall be held simultaneously in India and in England, only, shall be held simultaneously in India and in England, and until all fresh appointments which are made in India shall be made by competitive examinations only.

Gentlemen, it is very much to be hoped that the Government will earn the gratitude of Indians by throwing open higher careers in the Army also to them. It is too late in the day to say that Indians shall not be appointed to the higher offices in the Army in India. Indians who are loyal, who have proved their loyalty by the life-blood which they have shed in the service of His Majesty the King-Emperor, and whose valour and fidelity have been repeatedly recognised, ought no longer to be told that they cannot rise to appointments in the Army higher than Subadar-Majorships and Risaldar-Majorships. Reason and justice favour the departure for which I plead. The Proclamation of 1858 has promised that race, colour or creed shall not be a bar to the appointment of Indians to any posts under the Crown, the duties of which they shall be qualified to discharge. We ask Government to give effect to that noble proclamation, to do justice to the claims of the people of India, by opening the higher branches of the Army for qualified Indians to enter. If the Government will accede to this reasonable prayer, it will deepen the loyalty of vast numbers of people in India, and I venture humbly to say, it will never have any cause to regret having taken such a step.²⁷

On the other hand, the exclusion of Indians from such appointments is a standing ground of dissatisfaction and complaint. It is in every way desirable that it were removed. By throwing higher careers in the Army open to Indians, the Government will open another important door for satisfying the natural and reasonable aspirations of important sections of His Majesty's subjects. Their attachment to the Government will thereby be enhanced, and if the opportunity every arose, the Government would find a large Army of Indians trained and Prepared to fight under His Majesty's flag to defend the country against foreign invasion and to help the Government in maintaining peace on every possible occasion.²⁸

Indians in South Africa²⁹

The brings me to the question of the status of Indians in other countries. It is not necessary for me to say how deeply it has grieved us all to hear of the unjust,

the cruel, the disgraceful treatment to which our countrymen in the Transvaal have been subjected. The indignities which have been heaped upon them, the hardships and harassments to which they have been exposed, have excited deep feelings of indignation and grief throughout the country. These feelings are not confined to educated Indians. They are shared by the literate and the illiterate alike. They have penetrated even into the *zenana*, as is evident from the lists of subscription collected by ladies which have appeared in the Press. Touching appeals have come to us from our sisters in the Transvaal for brotherly help and sympathy in their trials. We admire the unflinching courage, the unbending determination with which our noble brother, Mr. Gandhi and our other countrymen have been fighting for the honour of the Indian name. Our hearts go forth to them in sympathy, and we are surely grieved to find that the Government of His Majesty have not yet been able to come to their rescue.

Has the position become weaker since the Government has established the might of its power there, that it is afraid to require that the Boer-British Government should follow a course of conduct towards its Indian fellow-subjects different from the one pursued before—a course of conduct consistent with the claims of common humanity and of fellowship as subjects of a common Sovereign. I have no doubt, gentlemen, that the Government of India have made many and earnest representations in this matter to the Imperial Government. I have no doubt that they will make further representation still. For the honour of the Empire itself, let us hope that the Imperial Government will yet interfere to bring about an early and honourable settlement of this painful but momentous question. But however that may be the Government of India are bound in honour and in duty to their Indian fellow-subjects to take steps now to actively resent and to retaliate the treatment which is accorded to them in South Africa. And the least that they ought to do is to withdraw all facilities for enlisting indentured labour for South Africa, until the white colonists there agree to recognise Indians as their equal fellow-subjects. The matter has been under discussion too long. The intensity of feeling which has been created throughout the country, demands that it should no longer be allowed to rest where it is. I will not detain you longer on this question, as time will not permit me to do so. I have no doubt that you will pass a strong resolution expressing your sympathy and admiration for our brethren, Hindus, Mohammedans, Parsis and Christians, who are fighting a heroic fight for the honour of the Motherland in South Africa, and urging upon the Government both in India and in England the justice and necessity of an early and honourable settlement of this great Imperial problem.

I do not know, gentlemen, in what words to express the abhorrence that I am sure we all feel for these detestable, dastardly and useless crimes. It fills me with grief to think that in this ancient land of ours where *ahinsa*—abstention from causing hurt—has been taught from the earliest times to be one of the greatest virtues which can be cultivated by civilised man; where the great law-giver, Manu, has laid down that no man should kill even an animal that does not cause any hurt to others; where the taking away of life generally is regarded as a great sin, the minds of any of our young men should have been so far perverted as to lead them to commit such inhuman acts of cold-blooded murders without any provocation. Such crimes were confined until a few years ago to some of the countries of Europe. We had no doubt occasional cases of religious fanaticism called *ghazis* who now and then took away the life of an Englishman on the frontier. But we are grieved to find that these new political *ghazis* have now risen in our midst, and have become a new source of shame and sorrow to the country. I am sure we are all of one mind in our mind in our desire to do all that we can to eradicate this new evil from our land.

If the Government will only have recourse to the ordinary law of the land, to bring to justice any person or persons who might be guilty of encouraging violence or lawlessness or of promoting ill-will or hostility to Government, there will be no room left for complaint. The Indian people are an eminently reasonable people. Let them know that a brother has been guilty of a crime; let the government only satisfy the public that there is reasonable ground for depriving any man of his liberty, and they will cease to sympathise with the offender. Where sympathy will not entirely die out, its nature will be greatly changed. There will be no feeling left against the Government. But to send away men who have been leading peaceful and honourable lives to distant lands, and to confine them under the deportation Regulation without giving them any opportunity to hear and answer charges which have been formulated behind their backs, is a course unworthy of the British Government and it ought to be put an end to as early as possible.

The other matter to which I think it my duty to invite attention is the question of the Partition of Bengal. It is unnecessary for me to say what an amount of discontent and bitterness this question has created in Bengal. That discontent and that bitterness has travelled far beyond the limits of Bengal, and has produced a most deplorable influence in the country. It may appear to be a vain hope, but I do not propose to take up your time by recapitulating the arguments which have been urged against the partition and the pleas which have been urged against the partition and the pleas which have been put forward for a modification of the partition so as to bring together the entire Bengali-speaking community in Bengal

under one Government³⁰ This gives an additional ground of complaint and dissatisfaction to the people of Eastern Bengal. The partition as it has been made cannot be defended. It ought therefore to be mended. If the Government will modify the partition, it will restore peace to Bengal, and win the goodwill and gratitude of millions of men there. It will also enhance thereby its prestige in the eyes of the people throughout the country, as they will feel that the Government can afford to be as just as it is strong.

The Constitution of the Congress

Ladies and Gentlemen, I have detained you very long. But I must crave your indulgence for a few minutes more. I wish before I conclude to say a few words about the constitution and the present position of the Congress. Ever since the unfortunate split at Surat, the Congress has come in for a great deal of criticism, both friendly and unfriendly. It is said that there has been a division in the congress camp. It is true, it is sad. We should have been happy if it was not.³¹

The raising of the minimum of assessment of the income-tax, the reduction of the salt-tax, the prayer for the larger admission of Indians into the public service and the many other reforms urged by the Congress, all illustrate the point. If the Congress were hostile or unfriendly to the Government, it would have left the grievances of the people alone, and let discontent grow among them. It is true that there were at one time some narrow-minded officials who regarded the Congress as disloyal. Their race, I hope, is now extinct. I hope that among the officials of Government there is not a responsible man now who thinks that the Congress means any harm to the Government. I believe that there are a good many among them now who are satisfied that it is the best helpmate that the Government could have to help it to conduct the administration of the country on sound and popular lines.

It is sometimes urged against us that our representatives are not heard or heeded, and that in spite of many years of constitutional agitation, we are still labouring under various disabilities and disadvantages. That is unfortunately true but only partly so. The success achieved by us is by no means ignoble. But even if we had entirely failed that would not establish the inefficacy of constitutional agitation. It would only prove the necessity for more persistent, more strenuous agitation. It is again said that several repressive measures have been introduced during the last two years and that they have made the task of even honest workers difficult. I fully share the regret that these measures have been passed. Let us hope that they will soon cease to be operative, if they may not be placed. But making allowance for all that, I venture to say that the freedom of speech and action which

we yet enjoy under the British Government will enable us to carry on a constitutional agitation to achieve all the great objects which the Congress has set before us. I ask you, my countrymen, not to allow the aspersions which are made against the Congress to go unanswered any longer and to dispel the wrong notions which have been created in the minds of some of our people about its objects.

The problems which press for consideration at our hands are both vital and numerous. The condition of our people is deplorable. Vast millions of them do not get sufficient food to eat and sufficient clothing to protect themselves from exposure and cold. They are born and live in insanitary surroundings and die premature preventible deaths. Humanity and patriotism alike demand that, in addition to what the Government is doing, and may do, we should do all that lies in our power to ameliorate their condition. Let every particle of energy be devoted to the loving service of the Motherland. There is no land on earth which stands more in need of such service than our own. It is true that we are labouring under numerous difficulties and disadvantages. Let not those difficulties and disadvantages daunt us. Duty demands that we must solve them and let us remember that they will not be solved by having small divisions and narrow parties amongst us³²

And here, gentlemen, I wish to say a few words to our brethren of the Muslim League. I deeply grieve to say it, but I think it would be well perhaps that I should say it. I am grieved to think that our brethren have allowed the interests of a sect, nay, of party, to predominate in their counsels over the interests of country; that they have allowed sectarian considerations to prevail over patriotic considerations. Gentlemen, no Indian is entitled to honour of being called a patriot, be he a Hindu, Mohammedan, Christian or Parsi, who would desire for a moment that any fellow-countryman of his, whatever his race or creed may be, should be placed under the domination of the men of his own particular persuasion of community or that any one section should gain an undue advantage over any other section or all other sections. Patriotism demands that we should desire equally the good of all our countrymen alike. The great teacher *Veda Vyasa* held forth the true ideal for all religious and patriotic workers to pursue the noble prayer which he taught centuries ago:

Survecha Sukhina Santa, Sarva Santu niramayah

And I have to say a word in this connection to some of my Hindu brethren also. I have been grieved to learn that owing to the unfortunate action of the members of the Muslim League, and let me say here once again that I do not make a single one of these remarks without a feeling of pain : I say what I say not to offend any brother, but in order that a better understanding should grow between the two

great communities;—I say, gentlemen, that owing to the action of our brethren of the Muslim League, owing to the manner in which the agitation for securing what they had persuaded themselves to believe would be a fair representation for their community, and specially owing to several unfortunate and regrettable things that were said during the course of that agitation, a great estrangement has taken place between Hindus and Mohammedans generally all over the country, but particularly in the Punjab and the United Provinces.

But pray let it be done, when it must be done, out of a regard for public interests which demand equality of treatment, equal justice, for all communities. Let it be done with the desire of avoiding causes of disunion. Let it not be done out of a feeling of narrow sectarian jealousy. Let us endeavour to win over our brethren who differ from us to the noble ideals which we have hitherto placed before us. Let not their faults lead us to turn away from those ideals. I have faith in the future of my country.

RESOLUTIONS ADOPTED BY THE CONGRESS

I. Condolence I (Lalmohan Ghose and R.C. Dutt)

Resolved that this Congress desires to place on records its sense of the great and great and irreparable loss which the country and the community has sustained by the deaths of Lalmohan Ghose and Romesh Chandra Dutt, both past Presidents of the Congress. Their services to the country will always remain enshrined in the grateful recollection of their countrymen.

II. Condolence II (Marquis of Ripon)

Resolved that the Congress records its sense of the great loss that this country has sustained by the death of the Marquis of Ripon, who by his beneficent progressive, and statesmanlike policy, as Viceroy of India, earned the lasting esteem, affection and gratitude of all classes of His Majesty's Indian subjects.

III. High Appointments

Resolved that this Congress thanks the Government of His Imperial Majesty for appointing the Hon'ble S.P. Sinha as a member of His Excellency the Governor-General's Executive Council and the Rt. Hon. Ameer Ali as a member of the Privy Council.

IV. Council Reform

That this Congress while gratefully appreciating the earnest and arduous endeavours of Lord Morely and Lord Minto in extending to the people of this country a fairly liberal measure of constitutional reforms, as now embodied in the

India Councils Act of 1909, deems it its duty to place on record its strong sense of disapproval of the creation of separate electorates on the basis of religion, and regrets that the regulations framed under the Act have not been framed in the same liberal spirit in which Lord Morely's despatch of last year was conceived. In particular the Regulations have caused widespread dissatisfaction throughout the country by reason of :

- (a) the excessive and unfairly preponderant share of representation given to the followers of one particular religion;
- (b) the unjust, invidious, and humiliating distinctions made between Muslim and non-Muslim subjects of His Majesty in the matter of the electorates, the franchise and the qualifications of candidates;
- (c) the wide, arbitrary and unreasonable disqualifications and restrictions for the candidates seeking election to the Councils;
- (d) the general distrust of the educated classes that runs through the whole course of the regulations; and
- (e) the unsatisfactory composition of the non-official majorities in Provincial Councils rendering them ineffective and unreal for all practical purposes.

And this Congress earnestly urges the Government to so revise the Regulations, as soon as the present elections are over, as to remove these objectionable features, and bring them into harmony with the spirit of the Royal message and the Secretary of State's despatch of last year.

V. Executive Councils

Resolved that this Congress, while regretting that Cl. 3 of the Indian Councils Bill, under which power was to be given to the Governor-General-in-Council to create Executive Councils to assist the Heads of the Government in the United Provinces the Punjab, Eastern Bengal, Assam and Burma, was not passed as originally framed, earnestly urges that action may be taken at an early date under the Act to create Executive Councils in the above-named Provinces.

VI. Reform Scheme in the Punjab

Resolved that this Congress records its opinion that the Regulations framed for the Punjab, under the Reform Scheme, fail to give satisfaction for the following reasons, namely :

- (a) In that numerical strength of the Council provided for in the Regulations is not sufficient to allow an adequate representation to all classes and

interests of the population, nor is it commensurate with the progress made by this Province, in matters social, educational industrial and commercial.

- (b) In that the elected element prescribed by the Regulations for Local Council is unduly small and altogether insufficient to meet the needs and requirements of this Province, and compares very unfavourably with that accorded to other Provinces, not more advanced.
- (c) In that the principle of protection of minorities, which has been applied in the case of Mohammedans in Provinces where they are in a minority, has not been applied in the case of non-Mohammedans who are in a minority in the Punjab, both in the Provincial and Imperial Councils.
- (d) In that the Regulations, as framed, tend practically to keep out non-Mohammedans from the Imperial Council.

VII. Reform Scheme in Central Provinces and Berar

Resolved that the Congress desires to give expression to the dissatisfaction produced among the people of the Central Provinces and Berar by the decision of the Government not to establish a Provincial Legislative Council for those territories, and by the exclusion of Berar from participation in the election of two members of the Imperial Legislative Council by the landholders and members of District and Municipal Boards of the Central Provinces, and this Congress appeals to the Government to remove the aforesaid complaints at an early date.

VIII. Partition of Bengal

Resolved that this Congress earnestly appeals to the Government of India and the Secretary of State for India, not to treat the question of the Partition of Bengal as incapable of reconsideration, but to take the earliest opportunity to so modify the said partition as to keep the entire Bengali-speaking community under one and the same administration.

That this Congress humbly submits that the rectification of this admitted error will be an act of far-sighted statesmanship. It will restore contentment to the Province of Bengal, give satisfaction to other Provinces, and enhance the prestige of His Majesty's Government throughout the country.

That this Congress appoints Surendranath Banerjea and Bhupendranath Basu to proceed to England as a deputation, to lay the question of the Partition before the authorities and public there.

IX. Transvaal Indians

Resolved that this Congress expresses its great admiration of the intense

patriotism, courage and self-sacrifice of the Indians in the Transvaal—Mohammedan and Hindu, Zoroastrian and Christian—who, heroically suffering persecution in the interests of their country, are carrying on their peaceful and selfless struggle for elementary civil rights against heavy and over-whelming odds.

That this Congress offers its warmest encouragement to M.K. Gandhi and his brave and faithful associates, and calls-upon all Indians, of whatever race or creed, to help them unstintedly with funds; and in this connection, the Congress begs to convey to R.J. Tata its high appreciation of the patriotic instincts which have inspired his munificent donation of Rs. 25,000 to his suffering countrymen in South Africa in their hour of need and trial.

That this Congress begs earnestly to press upon the Government of India the necessity of prohibiting the recruitment of indentured Indian labour for any portion of the South Africa. Union, and of dealing with the authorities there in the same manner in which the latter deal with Indian interests, so long as they adhere to the selfish and one-sided policy which they proclaim and practise, and persist in their present course of denying to His Majesty's Indian subjects their just rights as citizens of the Empire.

That this Congress protests against the declaration of responsible statesmen in favour of allowing the self-governing colonies in the British Empire to monopolise vast undeveloped territories for exclusive white settlement, and deems it its duty to point out that the policy of shutting the door in these territories and denying the rights of full British citizenship, to all Asiatic Subjects of the British Crown, while preaching and enforcing the opposite policy of the open door in Asia, is fraught with grave mischief to the Empire and is as unwise as it is unrighteous.

X. Regulations Relating to Deportations

Resolved that having regard to the grave risk of injustice in Government action based upon *ex-parte* and untested information, and to the sufficiency for reasonable preventive and punitive purposes of other provisions on the Statute Book of the country, this Congress urges upon the Government, the repeal of the old Regulations relating to deportation, and prays that the persons who were last year deported from Bengal be set at liberty without further detention, or be give an opportunity to meet the charges if any, that may be against them, and for which they have been condemned unheard.

XI. Indians in the Army

Resolved that this Congress protests against the continued exclusion of the children of the soil from higher military careers, and in urging that such careers be

thrown open to them, it suggests the establishment of Military Colleges, at which Indians may receive the training necessary to qualify them for His Majesty's commission in the Army.

XII. Land Alienation and Allied Acts

Resolved that having regard to the grave dissatisfaction caused by the operation of the Land Alienation and allied Acts among large sections, of the community in the Punjab and elsewhere, this Congress is of opinion that the time has arrived for instituting a thorough and detailed enquiry into the policy and working of the laws restricting alienation of land in Provinces where such laws are in operation; and urges Government to appoint a mixed Commission of officials and representative non-officials Indians to institute an enquiry, in order to ascertain whether the legislation has really benefited the interests of agriculture and of the class intended to be benefited by it, and whether it has given rise in actual operation to anomalies, hardships and disabilities, calculated to injure the growth and prospects of the agriculture industry, and cause discontent among any particular class or section of the community.

XIII. Public Service

- (a) That this Congress gratefully recognise the efforts that have been made during the last three years by the Secretary of State for India and the Viceroy to give gracious effect to the policy, laid down in the Great Charter of 1858, and reiterated in His Majesty's message of last year, of obliterating distinctions of race in conferring higher offices on the people of India in the public service of the country.

That this Congress, however, is strongly of opinion that in order to carry out this policy effectively, the Resolution of the House of Commons of 2nd June, 1893, should be given effect to, and all examinations held in England only should be simultaneously held in India and England, and all first appointments for the higher branches of the public service, which are made in India, should be by competitive examination only.

- (b) That this Congress thanks the Secretary of State (1) for his despatch regarding the employment in the superior posts of the civil medical service of qualified medical men, not belonging to the Indian Medical Service, and earnestly requests the Government of India to take early action in the direction pointed out by the Secretary of State; (2) that in the interest of the public, the medical service and the profession, as well as for the sake of economy in expenditure, this Congress, concurring with previous

Congresses, urges the constitution of a distinct Indian Civil Medical Service, wholly independent of the Indian Military Medical Service.

XIV. High Prices of Food-Stuffs

Resolved that this Congress is of opinion that, having regard to the high prices of food-stuffs current during the past several years, and the hardships to which the middle and poorer classes in particular are put thereby; an enquiry by a properly constituted Commission should be instituted by the Government into the causes of such high prices, with a view to ascertain how far and by what remedies that evil could be removed or its effects minimised.

XV. Swadeshi Movement

Resolved that this Congress accords its most cordial support to the Swadeshi Movement, and calls upon the people of the country to labour for its success by making earnest and sustained efforts to promote the growth industries, capable of development in the country, and respond to the efforts of Indian producers by giving preference whenever practicable, to Indian products over imported commodities, even at a sacrifice.

XVI. Education

Resolved that this Congress is of opinion that the Government should take immediate steps:

- (a) to make Primary Education free at once and gradually compulsory throughout the country;
- (b) to assign larger sums of money to Secondary and Higher Education (special encouragement being given where necessary to educate all backward classes);
- (c) to make adequate provision for imparting Industrial and Technical Education in the different Provinces, having regard to local requirements; and
- (d) to give effective voice to the leaders of Indian Public Opinion in shaping the policy and system of Education in the country.

In the opinion of this Congress the time has arrived for people all over the country to take up earnestly the question of supplementing existing institutions and the efforts of Government, by organising for themselves an independent system of Literary, Scientific, Technical and Industrial Education, suited to the conditions of the different provinces in the country.

XVII. Separation of Judicial and Executive Functions

- (a) That this Congress places on record its sense of regret, that notwithstanding the hopes held out by Government that the Executive and Judicial functions were soon to be separated, no effective steps have been taken in that direction, and this Congress, concurring with previous Congresses, urges a complete separation of the two functions without delay.
- (b) That this Congress, concurring with previous Congresses, urges that the Judicial Services in all parts of the country should be recruited mainly from the legal profession.

XVIII. Local Self-Government

Resolved that this Congress expresses its satisfaction that the Secretary of State has recognised that the Local Self-Government Scheme of 1882, has not had a fair trial, and has pressed on the Government of India the necessity of an effectual advance in the direction of making local, urban and rural bodies really self-governing, and it expresses the earnest hope that the Government will be pleased to take early steps to make all Local Bodies, from village panchayats upwards, elective, with elected non-official chairmen, and support them with adequate financial aid.

XIX. Settlement & Military Expenditure

Resolved that this congress, concurring with previous Congresses, urges :

- (a) A reasonable and definite limitation to the State demand on land, and the introduction of a Permanent Settlement, or a Settlement for a period of not less than sixty years in those Provinces where short periodical settlement revisions prevail, as, in the opinion of the Congress that is the only means of ameliorating the present unsatisfactory economic condition of the agricultural population, and
- (b) A reduction of the annually growing military expenditure which now absorbs nearly one-third of the Empire's revenue, leaving an inadequate portion only of the balance available for many objects of popular utility, specially education and Sanitation, which are yet greatly starved.

XX. N.W.F. Province

Resolved that in view of the prevalence of serious dissatisfaction amongst the people of the N.W. Frontier Province with the character of the administration under which they live, this Congress earnestly urges the Government of India to order a

public enquiry into their complaints and take steps to remedy the disadvantages under which they labour as compared with the population of the Punjab.

XXI. Thanks For Services

Resolved that this Congress desires to convey to Sir William Wedderburn, A.O. Hume, Sir Henry Cotton, and other members of the British Committee, its grateful thanks for their disinterested and strenuous services in the cause of India's political advancement.

XXII. Appointment of General Secretaries

Resolved that D.E. Wacha and Daji Abaji Khare be appointed General Secretaries for the ensuing year.

XXIII. Thanks to the Volunteers

Resolved that the thanks of this Congress be given to the volunteers, who supplied the place of the students, withdrawn by the Educational Authorities.

XXIV. Next Congress

Resolved that the next meeting of the Indian National Congress be held at Allahabad after Christmas, 1910.

TEXT OF THE PRESIDENTIAL ADDRESS, 1933

The following are extracts from Pt. Malaviya's presidential address, which he was not able to deliver, owing to his detention in Asansol :³³

I offer my profound thanks for the honour of being called upon to preside over the deliberations of the Indian National Congress. That the honour has been conferred on me at a time when the country is placed in very abnormal circumstances, when our revered countryman, Mahatma Gandhi and a large number of India's patriotic sons and daughters are still undergoing imprisonment, makes my gratefulness for this signal mark of confidence in me all the greater. I also fully realise the responsibility which has thus been placed upon me. I pray that I may prove equal to it.

When I was entering Delhi to preside over the Congress last year. I was arrested and detained in jail until some time after the Congress had met and passed its resolution in spite of the efforts of the police to prevent it from doing so. This fact and the attitude of the Government towards the Congress as disclosed in recent official announcements, had prepared people to apprehend that I would not be allowed to attend the Congress this year also. This is no longer a matter of conjecture. While writing this note this morning I received the following letter from the Collector of Benares :

...Dear Pandit.....The Bengal Government have advised the local Government that the public Safety Act is in force in Bengal and that if you and other leaders proceed to Calcutta for the Congress sessions, you will not be allowed to attend it. I am directed to communicate the above to you and I request that you will be so good as to pass on the warning to other leaders who may be in Benares at the present time”.

I appreciate the action of the Bengal Government in sending me this warning in this courteous manner. I have informed them however that I see no justification for their decision that we should not be allowed to attend the Congress, and have told them by what train I intend to leave for Calcutta.

Last year the Government arrested a large number of people on their way to attend the Congress at Delhi. This year also I hear that the police are very active in preventing people from going to attend the Congress. The police Commissioner of Calcutta has issued a press notification warning the public that whosoever harbours, receives or assembles in any houses or premises in his occupation or charge or under his control a person whom he knows to have been deputed to Calcutta as a delegate to the Indian National Congress, 1933, will render himself liable to prosecution under the Penal Code. He has also warned all landlords, that the Reception Committee of the said Congress has been declared an unlawful association and that any place which in the opinion of Bengal Government is used for the purpose of the said unlawful association is liable to be notified and taken possession of by the police who may direct any person therein and take possession of the movable property found therein.

The Government have thus obviously done all they could severely to discourage and prevent the holding of the Congress at Calcutta.

It has always pleaded for equal political rights and equal justice to all classes and sections of the people. During the last thirteen years, the most respected of Congressmen have repeatedly suffered imprisonment for the sake of the country's cause.

For all these reasons the people regard the Congress as their best friend and guide and are ever willing to listen to its advice, even when it involves a sacrifice of the personal interests.

On March 12, succeeding, Mahatma Gandhi started the Civil Disobedience Movement to bring pressure to bear upon the Government to concede to minimum national demand which he clearly defined. The Government adopted strong measures to suppress the movement. But it failed to do so. Then after nearly a

year's resolute administration Lord Irwin's Government considered it wise and just to make a truce with the Congress through Mr. Gandhi which is known as the Gandhi-Irwin Pact. The Pact was with the approval of the British Government.

The Congress was then invited by the Prime Minister of England to send its representatives to the Round Table Conference because it was felt by the Government that without Congress the Conference could not be regarded as fully representative. The Congress made Gandhiji its sole representative and he attended the Conference as such. He returned to India anxious to cooperate with the Government in the further work of the Conference. But while the Conference was going on in London, the general election in England brought a large Conservative majority into Parliament and strong Conservative became the Secretary of State for India.

"As the result of the election" in the words of Mr. Benthall, who represented the Conference the "policy had undoubtedly changed. The right wing of the new Government made up its mind to break up the Conference and to fight Congress. The Muslims who did not want Central responsibility were delighted. Government undoubtedly changed their policy and tried to get away with provincial autonomy with a promise of central reform". "We had made up our minds", continues Mr. Benthall, "before this that a fight with Congress was inevitable and we felt and said that the sooner it came the better."

Under the English constitution, the British Parliament exercises sovereign power as a legislature, and in theory it has a right to make or unmake any laws whatever for Britishers. But as a great English writer (Dicey) has pointed out, the actual exercise of authority by any sovereign whatever, and notably by Parliament is limited on every side by the possibility of popular resistance.

Further on he says : "The external limit to the real power of a sovereign consists in the possibility or certainty that his subjects, or large numbers of them will disobey or resist his laws", and still further : "A sovereign may wish to do many things which he either cannot do at all or can do only at great risk of serious resistance, and it is on many accounts worth observation that the exact point at which the external limitation begins to operate, that is, the point at which subjects will offer serious or insuperable resistance to the commands of a ruler whom they generally obey is never fixed with precision". Another great writer cited by Dicey has said: "If a legislature decided that all blue-eyed babies should be murdered, the preservation of blue-eyed babies would be illegal. But legislators must go mad before they could pass such a law and subjects be idiotic before they could submit to it". This limitation exists even under the most despotic monarchies.

Notwithstanding all the assurance of equality of treatment in the days of the war, after the war was over England has changed her attitude towards India. It has never yet agreed that India should exercise the right of self-determination to establish which she contributed her lives and treasure. On the contrary, she had treated Indians during the last thirteen years as a race whose pace of progress towards self-government must be determined by the Parliament of England.

I appeal to my countrymen to wake up to the reality of the situation. I take it that every Indian wants that we should have complete freedom for the management of our own affairs. The attainment of this freedom will become easier if we will unite and work with one mind and purpose to achieve it. I implore all Hindus and Musalmans, Sikhs, Christians and parsees and all other countrymen to sink all communal differences and to establish political unity among all sections of the people.

In the midst of much darkness, I see a clear vision that the clouds which have long been hanging over our heads are lifeing. Let every son and daughter do his or her duty to expedite the advent of the dawn of the day of freedom and happiness. Truth is on our side. Justice is with us. God will help us. We are sure to win. "Vande Mataram".

EXPANSION OF LEGISLATIVE COUNCILS³⁴

In supporting the following resolution of the third Indian National Congress held at Madras in 1887 Pandit Madan Mohan Malaviya said :

That this Congress re-affirms the necessity for the expansion and reform of the Council of the Governor-General for making laws, and the provincial Legislative Councils, already set forth in Resolutions III of the Congress of 1885 and 1886, and expresses the earnest hope that the Government will no longer delay action in the direction of this essential reform.

Mr. President and Gentlemen, my heart beats high within me as I rise to speak on this great subject. You have listened to the weighty words of Sir T. Madhava Rao and the eloquent appeals of Babu Surendranath Banerjea and Mr. Eardley Norton and others and if after such speakers as these I venture to address you, it is with the hope that you will grant me that indulgence which, being placed in this position, I earnestly crave of you. Gentlemen, after what has been said, it would be difficult to advance further arguments or to bring forward additional reasons as to the expediency and necessity for this great reform. But allow me to say this much, that, placed as we are in this country under a foreign Government, however benevolent and generous its motives—the motives of those who take part in the

administration—, we stand in the greatest need of our own representatives in the Legislative Councils. Gentlemen, the whole of Europe, with the exception of Russia, has declared that the most efficient and best form of Government for any country which has made any advance in civilization is a Government, conducted not solely by the few of the many, but to a greater or less extent by the many for themselves—a Government, in fact in which the representatives of the people have some potential share—and if this be expedient for European countries, where the rulers and the ruled are of the same nationality, and where they are of the same religion, I think it must be conceded that it is even more essential for India, which is inhabited by people whose habits, manners, customs, language, race and creed : differ from those of their rulers.

What is it that we see year after year? People assembling from all parts of India,—from the Panjab, Sindh, Assam, Madras, Bengal, Bombay, N.W. Provinces, Oudh, the Central Provinces, from every province, from every town—coming together to implore Government humbly to grant this reform, which is after all their birth right as free born British subjects. It is no desire or motive of self-ambition that brings these people together at such heavy cost and at such great personal inconvenience. There is no taint of self-interest in the matter. No. Their sole idea is that India, their country, of all things stands badly in need of this fundamental reform, and they hope—and God, grant that they may not hope in vain—that their unselfish persistence in asking may secure for their native land this great boon! I cannot possibly believe that there is one single educated Indian, who after studying this question can rest happy in his mind, without trying his very best to secure this reform. I cannot possibly believe that any good man who once really understands what this reform truly means for his country and his countrymen, for his kinsman, his children and himself, can remain indifferent to it. And, gentlemen, neither we nor any other intelligent Indians are indifferent to it; and though thus far success has not crowned our efforts, we must only go up to Government again and ask their earliest consideration of our demands or of our prayers (call them which you will) and entreat them again and again to concede to us this reform. Gentlemen, it is nothing very great we are asking them to do. The British Government has already made this concession to so many countries.

It was not right to leave to the last moment of the session the only opportunity that was afforded to Parliament of considering the wishes and the grievances of 200,000,000 of people whom we rule. That any Parliamentary control should be exercised over the affairs of India was impossible when the Indian Budget figured upon paper as the eighth order upon one of the last days of an expiring Session.

Following him Mr. Reid said:— "How could Parliament do anything when these matters were only brought to its cognizance on one of the very last days of a weary session when only fifteen or sixteen gentlemen had sufficient energy left to watch the proceedings. The debate was almost reduced to a farce. The discussion was begun at about a quarter past six o'clock and in four or five hours from that time they would have settled the affairs of 200,000,000 of their fellow-subjects and sanctioned the expenditure of between seventy and eighty millions of money. Surely it would be better to delegate these duties than to continue doing that which was a mere mockery. Would it not be possible to appoint a Committee to overlook the affairs of India, in order that the people of that country might know that their interest were being cared for adequately by the Imperial Parliament?"

Now, gentlemen, you see that Parliament will not or cannot give that consideration even to our Budget, even to the expenditure of eighty millions of money wrung out of the country, and none know better than you do with what hardships to the people, that we have a right to expect from them that commonsense and justice demand and if this be the case with the Budget, what chance have the rest of our affairs of getting a hearing of any kind? I say, none, and therefore we ask Parliament to allow us to look after our own affairs. We say if you cannot or will not do your duty by us, at least put us, in a position to do some portion of our duties to ourselves. We say, we entreat you in all fairness to allow us some control over our Budget, to put us in a position to say something through our representatives about it when it is brought into the council—to give us some voice here in the management of our domestic affairs. But it would seem as if our entreaties were vain. They will not do their duty by the country themselves and they will not allow us to do it. Can anything be more cruel, or more unjust, of the English nation which professes to love freedom and justice and boasts itself the founder of constitutional and free Government? Gentlemen, after this, I think nothing need be said by England about justice and freedom if this concession is not granted to us. Gentlemen, I must express my regret that the rapidly passing minutes debar me from speaking on this subject more fully, as I should wish, to do, though I know it does not require much further illustration after the speeches you have heard. Allow me now to say in conclusion that we should continue to press this righteous demand on the Government, and if all else fail simply ask them to act according to their own Christian principles which tell them to do unto others as they would be done by. Would the English nation like to have their affairs treated in this way; would they tolerate it for one instant? Would they ever dare to treat us in this way, did they not know that we are the most patient and law-abiding

people on the face of the earth? Only twenty-nine members present out of six hundred and seventy five or some thing like that, when the welfare of two hundred and fifty million souls is to be discussed, and when a sum of seventy or eighty millions is to be disposed of. How would they like their own affairs to be treated in that way? Would they, I repeat, stand it for one week? Would they dare thus to deal with only five millions of Irishmen? Gentlemen, I must leave them to reply, and that reply, if truthful, must be their own condemnation. No, gentlemen, let them allow us a gradually increasing liberty to look after and manage our own business, and they will find that we shall forget any temporary injustice that their negligence has caused us, and always, always remember *per contra* all the good they have done us, and be grateful to them for all this and not least grateful for that concession we are now urging.

REFORM OF THE LEGISLATIVE COUNCILS

In supporting the following resolution of the sixth Indian National Congress held at Calcutta in 1890 Pandit Madan Mohan Malaviya said :³⁵

That this Congress, having considered the draft Bill recently introduced into Parliament by Mr. Charles Bradlaugh, entitled "An Act to amend the Indian Councils Act of 1861" approves the same as calculated to secure a substantial instalment of that reform, in the administration of India, for which it has been agitating, and humbly prays the Houses of Parliament of the United Kingdom of Great Britain and Ireland to pass the same into law; and further that its President, Mr. Pherozeshah Mehta, is hereby empowered to draw up and sign, on behalf of this assembly, a petition to the House of Commons to the foregoing effect and to transmit the same to Mr. Charles Bradlaugh for presentation thereto in due course.

I am happy to find that we are to-day discussing the leading features of the scheme for the reform and expansion of the Legislative Councils. You know since we met last, our position has somewhat improved in this matter, and the difference between us and Government is not now quite so great as it was a year ago. The four principal points which the Congress has been urging on the Government in relation to the reform of the Councils have been, 1st, that the number of members on the Council should be increased; 2ndly, that the privilege of electing at least half of these members should be given to the people; 3rdly, that the Budget should be laid every year before the Council; 4thly, that the members should have the right to interpellate the executive on questions of public concern. Of these, gentlemen, His Excellency the Viceroy assured us in his speech on the occasion of the last discussion of the Budget in his Council, that Her Majesty's government had decided

to grant us three, *viz.*, the enlargement of the Council; the presentation to them of the Budget every year, whether there be any new tax to be imposed or not; and the right to interpellate the Government in regard to any branch of the administration. Of course there are some limitations to be put upon the exercise of this latter right; but His Excellency's words made it perfectly clear that the right itself will be conceded.

But the Government of India and our Secretary of State—if the reports published in the newspapers represent their views faithfully—seem unwilling to allow the vast millions of Her Majesty's subjects in the country any voice whatever in the appointment of persons who decide questions which concern not merely any one man or any set of men amongst them, but the entire nation of them and their posterity. Could there be anything more in conflict with reason and justice?

I will recall to your mind only two instances to illustrate what I have said. A couple of years ago, you remember, the Government was driven by reason of its excessive and, as we think, wasteful military expenditure to find some fresh means of increasing its revenue, and it resolved upon drawing the required money from the poor, the class least able to offer any resistance or protest. The question came up before the Legislative Council and unofficial honourable members the so-called representatives of our people, so far from protesting against the proposal, gave their ready consent to it. Some of these gentlemen even went the length of declaring that the enhancement of the duty on salt would not inflict any hardship on the poorer classes of the people. Now, gentlemen, these big honourable gentlemen, enjoying private incomes and drawing huge salaries, may find it hard to believe that the addition of a few annas every year to the burdens of the poor, can cause any serious hardship to them. But those who know in what abject misery and pinching poverty our poorer classes generally exist, know how painfully the slightest increase in their burdens presses upon them. But these honourable members were pleased to say "the people will not feel the increase in the tax."

I will remind you of only one more case. You remember a few months ago the Government again found itself badly in want of money. Those who regulate their income by their expenditure, and not their expenditure by their income, must frequently find themselves in that unhappy position. It became necessary to raise more revenue, and after misappropriating the Famine Insurance Fund, and mulcting the Provincial Governments (thereby starving education and arresting progress in all directions), Government then resolved again on squeezing something more out of the poor. It resolved to re-impose the Patwari Class on the ryots of the North-Western Provinces and Oudh.

The Hon'ble Mr. Quinton who represented the Government of Sir Auckland Colvin at the Viceroy's Council, said in his speech on the subject that the consent of the Talukdars of Oudh had been obtained to the measure. Fancy, gentlemen, the justice of adding to the burthens of the ryot on the strength of the consent of the Zemindar! But that was not all. There were other honorable members present in the Council, who said that the re-imposition of the cess would not add much more than about annas a year to the load of taxation on the ryot, and they said it was so slight a sum that the ryot would not feel the pressure at all.

If these gentlemen had to live, even for a day or two, on that coarse unpalatable diet which is the best our poor, often starving, can command in the brightest times, and if they had to brave the cold of our up-country winters without all those warm and soft clothings they themselves luxuriate in, they would understand what hardship the enhancement of the Salt Tax and the re-imposition of the Patwari Cess entails upon the people. There are hundreds of thousands of ryots at this moment in the North-Western Provinces and Oudh who cannot but sufficient cloth to cover even the upper half of their bodies properly, to protect themselves and their children from the piercing chill and cold of our norther winter nights; and remember, you gentlemen of the south, that the times are far more relentlessly severe with us there than with you here.

I fear, gentlemen, I have taken up too much of your time, and I won't detain you any longer. I hope I have made it clear why we pray the Government to allow the people the privilege of electing at least half of the members of the Council, men whom the people esteem and confide in by reason of their loving sympathy whit them in all their sorrows and joys. And I earnestly hope the Government will no longer delay granting us this simple rightful privilege, which while conducting greatly to out happiness, will not fail to add to the strength and glory of British rule in India. Gentlemen, I heartily support the resolution.

INDIAN GRIEVANCES AND THEIR REMEDIES³⁶

In seconding the following resolution of the Seventh Indian National Congress held at Nagpur in 1891, Pandit Madan Mohan Malaviya said:

Mr. President, Ladies and Gentlemen,—it is my duty to second the proposition, or part of the proposition which has been so ably moved by my friend Mr. Wacha. That duty is rendered easy by the exhaustive manner in which he has dealt with the subject; still I must ask your indulgence a few minutes in order to lay before you a few more ideas bearing on the same subject, and to show the extreme necessity and urgency of the reforms which we are advocating. It has often been said that we Congress people repeat from year to year the same old cries, the same demands, and

then go back to our homes after completing this part of our work. But, gentlemen, who is to blame for this state of things! Are we to blame for repeating these old cries, or does not the blame rather pertain to the Government which turns from year to year a deaf ear to those our most earnest appeals? Numberless officers of the Government have said that the poverty of this country is unquestionably very great, and that poverty is growing from year to year. Sir W. Hunter, Sir Charles Eliot, Sir A. Colvin and a number of others have, from their seats in the Viceroy's Council, constantly repeated mournfully and sadly the fact that India is poor and is becoming poorer and poorer every day. And what do we find? Have any measures worthy of the name been adopted to ameliorate that condition, to check the growth of that poverty, and to stamp it out of the country?

It gives us no pleasure to repeat these same old cries—cries prompted by the intense agony of our condition—cries which go out of our hearts and our lips, not because we desire to talk of these things, but because the pain we feel compels us to utter them, to make these appeals to the Government in the hope that their hearts may yet melt, that they may yet take pity on the condition of the people and make an honest, manly effort to cut down expenditure, and to save the people of this country from the misery they are suffering at the present moment.

Of course, we know that the causes of this poverty are manifold. No one can expect us, in the course of our debates here, much less in the short speeches made on any of these resolutions, to deal exhaustively with all the causes of that poverty. In this resolution we deal with the causes for which the Government is mainly responsible, and we point out the remedies which the Government can directly apply, if it chooses to do so, and which it is the plainest duty of the Government to apply, if it cares to call itself a civilized Government. What are those duties and those remedies? In the first three clauses you speak of the exclusion of the people of India from a due participation in the administration. That has been dealt with by my predecessors, and I will leave it. Those who follow me may well take up the question of revenue administration.

There is no country in which there is greater room for service to one's country than this unfortunate land. There is no land which I can think of where you can render greater service to humanity than this land of poverty-stricken people. It is your duty to enable them to earn some money in order that they may be able to get the food which they require, that the Swadeshi cause is growing is a matter for rejoicing. I fear it is not growing as much as is commensurate with the needs of the people. We hear a great deal of talk about Swadeshi, but I don't know that our lands in the shape of pension and pay. The same remark applies to Civil Administration.

There is that gracious Proclamation, and there is the practice of Her Majesty's representatives here and in England. Is the practice in conformity with the Proclamation? You exclude Indian people almost entirely from the Covenanted Civil Service by saying that you will hold the examinations for it only in England. You do not employ the children of the soil even in those positions which Secretaries of State for India have declared are reserved for the children of the soil.—I mean employment in the Uncovenanted Service.

That total expenditure of the Civil Service is about 14 millions. Of this nearly two-thirds go to Europeans, and only one-third to natives of this country. In the Military Service, again, all the loaves and fishes, all the best and most honored offices are given to Europeans, not because they are a whit fitter than their brother Indian soldiers, not because they are more courageous, more able to fight and to defeat the enemy, but because they happen to possess a fairer complexion. Combining the Military and Civil Services, you will find, I cannot give the exact figure, but it cannot be less than 15 millions sterling every year going in the shape of pay and pensions and home expenditure of various kinds to England from India never to return to it. The result has been well pointed out in the press and on the platform, but no one has put it more pithily than Mr. J. Wilson in the *Fortnightly Review* of March 1884, and his remarks are true now, with the necessary corrections. He says: "In one form or other we draw fully £30,000,000 a year from that unhappy country, and there the average wages of the natives is about £5 per annum, less rather than more, in many parts" (of course we know that it is nothing like £5; it is £1 and a few shillings.) "Our Indian tribute, therefore, represents the entire earnings of upwards of six (in reality twenty) million heads of families, say 30,000,00 (in reality 100 millions) of the people. It means the abstraction of more than one-tenth (really one-third) of the entire sustenance of India every year." I will not longer occupy your time. Let the English people make haste and take away this great reproach cast upon them by a man whom they revere and then we shall always be happy in our mutual union and to our mutual benefit

REFERENCES

1. It was indeed a unique honour for Pandit Madan Mohan Malaviya to accept the presidential chair of the Congress.
2. See his comprehensive address at the Lahore Congress in 1909, when he took up several socio-economic and political issues having deep hearing on the masses of Indian sub-continent, particularly their welfare and upliftment.
3. *Ibid.*
4. *Ibid.*

5. *Ibid.*
6. He had a word of praise for the self-government. See U.P. Legislative Council, Home Deptt., F. 25.
7. *Ibid.*
8. He talked about the Anglo-Indian bureaucracy. See *The Tribune*, Lahore, 1909.
9. Critical of Lord Curzon's policy and administration. In fact Curzon did not favour the political ideology of the Congress. (See his Speeches)
10. *Ibid.*
11. *Ibid.*
12. Policy of Reforms explained with several examples.
13. Provincial Executive Councils and their basic reforms.
14. *Ibid.*
15. The Regulations approved at the session.
16. *Ibid.*
17. *Ibid.*
18. *Ibid.*
19. Non-official majorities have been well-explained by Malaviya ji.
20. *Ibid.*
21. *Ibid.*
22. Educated Indians and reforms were well-explained.
23. *Ibid.*
24. Poverty and high prices were critically examined.
25. Technical and industrial education explained.
26. Higher careers for Indians in civil and army; much anxiety shown by Malaviya ji.
27. *Ibid.*
28. *Ibid.*
29. Indians in South Africa; also See NAI, Home Poll. F. 35.
30. The Constitution of the Congress.
31. The national ideal was explained by Malaviya ji. See *The Tribune*, 1909.
32. *Ibid.*
33. Presidential address, 1933 in N.N. Mitra, Indian Annual Register.
34. Expansion of Legislative Councils; also NAI, Home Poll. F. 21.
35. Indian Grievances and their Remedies.
36. See N.N. Mitra, Indian Annual Register, 1933.

Role in U.P. Council

As a Member of the U.P. Legislative Council, the contribution of Pandit Madan Mohan Malaviya is unique. Indeed he was a very fine orator and had the complete command over the English language. So far so his arguments were listened to by all the Members with full attention. This kind of exercise needed well-preparation of the speeches with minute details at his command. Later on, he shifted to the Central Legislature with the cooperation and support of the electorate.

THE BUNDELKHAND ALIENATION OF LAND BILL.

The Hon. Pandit Madan Mohan Malaviya made the following speech at a meeting of the Allahabad Legislative Council held on 19th January 1903 under the presidentship of his honour the Lieutenant-Governor, Sir James John Digges Latouche, K.C.S.I.¹

Your Honour,—The Hon'ble Member in charge of the Bill is entitled to the best thanks of the Council for the very able manner in which he has placed the Bill before it. The measure is one of great importance and of an exceptional character. The Council has to consider whether it is justified by the circumstances of the case, and likely to prove beneficial in the long run to those for whose benefit it is proposed. The indebtedness of the landholders of Bundelkhand is deplorable. But the question is, what are the causes that have brought it about? We all know that Bundelkhand is peculiarly liable to seasonal calamities. The crops are entirely dependent on the rainfall. No part of the country is secure from drought. There is little irrigation. Even a partial failure of the rains leads to scarcity and to famine. In the richer soils a heavy rainfall gives rise to the growth of that pestilent weed, *kans*, which turns thriving villages into so many wildernesses. The population is sparse. Tenants are more in demand than land. Such being the case, it is not difficult to understand that owners of land in Bundelkhand should not be as prosperous as their brethren in other parts of the United Provinces. Land and landowners there require special treatment.² Under the Mahratha rule, which preceded the British Government, the system of collecting *jama* which obtained in Bundelkhand was what is known as the annual *ryatwari* system. The *jama* was

determined every year by the *dekha parkhi* system, i.e., by an appraisement of the standing crop. Along with it prevailed the *bhej barar* tenure under which the actual area ploughed by a co-sharer regulated the quota of the land revenue demand for which he was responsible, and the *det kudel* custom which provided for a variation of the rent by reason of the rotation of crops. It would seem that the system was well suited to the country where the seasons and harvests were so uncertain and the assets consequently so fluctuating.⁴ When the British Government took charge of the country, they introduced long-term settlements based on a calculation of the average produce of several years. These settlements were not only for long terms, but they were also unfortunately immoderate and excessive in many instances.⁵ It would be tiresome to go into their history. It would be sufficient here to say that in reviewing the report of the settlement of the Jhansi district in 1973, the Government of these Provinces said that the past history of the district showed that it had suffered both from and depredations, and on this ground sanctioned a reduction of the revenue demand by about 22 per cent. In 1881 Mr. Cadell revised the settlement of the Bands district and considerably reduced the assessment. The assessment was regarded as very light as compared with the previous assessment. But the Board of Revenue approved it and justified it on the ground that the past fiscal history of the Banda district is one of continuous disaster, caused in the first instance by severe assessments, and by the application of what time and after-experience showed to be inadequate remedies. At about the same time, the assessments in Lalitpur and Hamirpur districts were also revised, and greatly reduced.⁶ In fact for more than twenty years a succession of able officers of Government have laboured earnestly to mitigate the rigour of the earlier settlements and the assessments have been comparatively, very much lightened. But the evil effects of an over-assessments once made do not lie out with the moderation of the land revenue demand at a subsequent settlement. As the Board of Revenue pointed out in reviewing the Hamirpur Settlement Report in 1881. "Over-assessment for only a short period must have put many of the Revenue payers into the money-lenders' books, and once there, they could not free themselves from the heavy burden of debt thus incurred." I would ask the Council to bear this in mind in considering how far the Zamindars are to blame for being indebted. It has also to be remembered that in addition to the evil of over-assessment, the rigidity of the system of collecting the land revenue has also had its share in driving the landowners into the clutches of the money-lender. In forwarding the admirable and exhaustive report of the last settlement of the Jhansi district prepared by the Hon'ble Mr. Impey and the Hon'ble Mr. Meston, the Board of Revenue pointed out the necessity of leniency in collecting the revenue, even as

it had then been fixed at a reduced sum. 'While however,' said the Board, 'the revised demand is recommended as a fair standard assessment which should be collected in all ordinary years, it is not to be expected that in a poor and insecure district, it will always be paid when rigidly collected; and the revenue has been fixed on the understanding that in seasons of drought, scarcity, or abnormal calamity, relief will be given as circumstances may require.' In reviewing the report, the Government was pleased to note:— 'The revised demand is a fair standard assessment which should be collected in all ordinary years. As Mr. Impey remarks in the final paragraph of the report, Jhansi has suffered at different periods in the past from a too rigid collection of the demand and on the other hand from an over-readiness to propose reductions should the least difficulty in collection arise.' It is also clear that the assessment of revenue which was only a fair standard assessment which could be collected in only ordinary years, required much care in collection and precautionary action in order that it might not press hard upon the people. And I am sure, landowners in Bundelkhand will rejoice and be deeply thankful to your Honour's Government and to the Government of India, when they hear that the Government has decided to reduce the revenue demand by 7½ lakhs.⁷

I submit, sir, that the facts and circumstances to which I have invited the attention of the Council, afford an obvious explanation of much of the indebtedness of the zamindars in Bundelkhand. The natural and physical cause, the entire dependence of the cultivation on rainfall, the absence of sufficient means of irrigation, and the existence of the *kans*, combined with the operation of fiscal laws and rules, unsuited to the peculiar condition of the country, have, in my humble judgment, in no small measure contributed to the unfortunate position in which Bundelkhand stands at present. At any rate, it has not been shown that the indebtedness of the zamindars in Bundelkhand and the tract with which the Bill deals is chiefly or even largely due to vicious or extravagant ways of living of the people connected with land. The people of Bundelkhand are known to be a simple people. Their indebtedness is no doubt deplorable; but no statistics or statements have been placed before the Council to show how much of the debts they have incurred has been incurred for private purposes for which the people might be accountable, and how much for purposes over which they had no control. The Bill which propose practically to deprive them of the power of transferring their land is based chiefly on the ground that they require to be protected against their own action in incurring improper debts. I beg respectfully submit that no case has been made out to justify the passing of such an exceptionally severe measure and I hope that the Hon'ble Members of the Council will much hesitate before they assent to its introduction.⁸

I object, Sir, to the measure also because it is one about the soundness and expediency of which opinions are much divided. I do not wish to go here into the question whether or not the power of transferring land was possessed and enjoyed by the people of Bundelkhand before the British Government took it in hand. Settlement reports would show that at any rate Thakur communities did enjoy rights of a proprietary character. It is sufficient to note that ever since British rule was extended to Bundelkhand, the Government has recognised the right of holders of land to transfer it by sale or otherwise. Indeed in the early days of British Rule the growth of such right was deliberately encouraged by the Government where it did not exist, as it was believed that that would induce people to invest capital in land and to improve it. That right has now been enjoyed by the people of Bundelkhand for nearly a hundred years in some parts and for more than fifty years in other parts and it would seem evidently wrong to deprive them of it now. When a similar proposal was put forward in 1890, Lord Lansdowne no doubt recorded his view that measures for restricting the right of land transfer were probably indispensable, if the evil was to be held in check; but His Excellency went on to admit that the thing was undoubtedly wrong from a purely economical point of view, and he would agree to it only because he thought there was a serious political danger to be dealt with and his Lordship could see no way out of it but that proposal. What was wrong from an economical point of view could not be politically sound, and the conditions under which an extreme measure like the one proposed might be accepted have not been shown to exist. The proposal to restrict the right of transferring land has several times been considered in the past; but many high officials of Government of these Provinces, who possessed expressed themselves against it. When the people will not be able to give the security of land to their creditors the only security which will practically be left to them will be their moveable property; and I may cite here the opinion of Sir William Muir expressed in 1973 as to what the effect would be Sir William says:⁹—‘The only security being moveable property, houses, standing crops, and so on, a man would be compelled to pledge these, and we should see what has been illustrated in Jhansi. The debtor would become the slave of his creditor; the annual profits of his land would be swept away by the money-lender in payment not of the principal, but of the annual accumulation of interest. You would retain your proprietors on the land, no doubt; but you would take from them all that makes land worth having.’ Sir Auckland Colvin said in 1875: ‘I am opposed to any general scheme of prohibiting sale of land in execution of decrees of Civil Courts, because I think so sweeping a measure unnecessary, because I should be very averse to prohibiting absolutely the transfer

of land, which must, I think, follow the more partial measure, and because we cannot foresee the effects of such a measure on credit—a matter of extreme importance, when viewed, especially with a ryatwari system in its relation to our rigid system of land revenue payments.' The Hon'ble Mover of the Bill referred to the opinion of Mr. B. Colvin regarding the condition of the people of Bundelkhand. I would invite the attention of the Council to the opinion which that experienced official expressed in the Viceroy's Council in 1880, about the very subject which the Council is now considering. Said Mr. Colvin: It has been said that to confer proprietary rights on a portion of the people was to give them a new and easy means of raising money, and that once in debt they were irresistibly drawn into destruction by the money-lenders and the action of our Civil Courts. There is truth in this, no doubt; but it hardly serves to explain why the whole body of landed proprietors should be in such urgent and general want of money...I believe that the principal causes which have plunged the great body of the landowners of Jhansi into hopeless debt must be sought elsewhere...I speak with much diffidence on a matter regarding which there is room for great differences of opinion; but there are two causes which, operating together, seem to me to explain a great deal of the present debts and difficulties of the Jhansi zamindars. The first is, that in changing form a *ryatwari* to a zamindari tenure, we considerably reduced the number of persons who were responsible for the revenue and so decreased the security for it. The second is that we made the revenue at the same time far more difficult to pay by changing it from a varying share of the produce, which depended on the harvest to a fixed money payment. We added in fact, to the burden of the revenue and then laid it on fewer persons. I think it is certain that, sooner or later, the newly-made zamindars must have broken down. And after referring to the additional causes, such as famine, murrain and drought, Mr. Colvin stated it as his conviction that no scheme would be successful which did not permanently provide for modifying the revenue system so as to adjust it to the variations in the annual produce of the harvests.

Two years later another eminent official, who possessed great knowledge and experience of the revenue administration of these Provinces, and of the peculiar conditions of Bundelkhand, gave expression to a similar opinion in the Viceroy's Council. Sir Charles Crosthwaite said :

"I feel bound to say this much, that, having seen the flourishing state of the Central Provinces, where the same system existed under native rule, and where we pursued exactly the same course, I cannot admit that those persons are right who attribute the greatest share in the effects which we deplore to what they call the

'fatal gift of proprietary right.' The possession of the proprietary right, no doubt was a condition which enabled them to obtain money. But it was not the cause of their requiring it. We ought to look to our revenue system and our revenue administration...It is quite that during the last decade, since their state has become known, and their inability to say has been recognised, the Government has dealt with them in a liberal manner. But it is a fault in our system that such knowledge comes too late and that we hardly ever remit revenue or revise an assessment until the mischief has been done...In conclusion I have to say exactly what Mr. Colvin said. I believe that until the revenue system is altered, there is no security against the recurrence and extension of the Jhansi difficulties."

Coming to more recent times we find that in the year, 1895, the Board of Revenue of the United Provinces then represented by the Hon'ble Mr. Cadell as the Senior member and the Hon'ble Mover of the Bill as its Secretary, in forwarding the very valuable reports of the settlement of Jhansi prepared by the Hon'ble Mr. Impey, expressed themselves in the clearest and most emphatic terms against the proposal to take away the right of transfer from the landholders. The Board said: "The right of permanent transfer has been described as the root of the evil of indebtedness in Jhansi; but it may be doubted whether the financial condition of the landholders would materially improve if they were deprived of the power of selling their estates. Mr. Impey's remarks on this point (paragraph 112) merit consideration. In the villages acquired from Gwalior, where sale was not possible, the Zamindars were found to be as bankrupt as those in the older territory; and in *Ubari* estates, where the penalty of a full assessment on transfer acts as a bar to sale, the *Ubaridars* are often in a state of bondage to the money lenders, who are the real, though not the ostensible, proprietors. The problem of indebtedness in Jhansi cannot be completely solved by special legislation or by revoking what has been called the fatal gift of proprietary right. More is to be hoped from the gradual development of the district, which, with a fair assessment and firm but considerate revenue administration, may encourage the growth of habits of economy and thrift."¹⁰

I submit, Sir, that these opinions embody the convictions of many very able officials of Government who had studied the Bundelkhand problem in all its aspects on the spot; and I hope that the Council will not lightly put them aside. And I beg respectfully to ask what has happened to show that a proposal which had again and again been rejected by competent advisers of Government, should now be regarded as sound. It is said that experience has proved that notwithstanding the fact that the landholders of Jhansi were released of the burden of their debts by means of the

Jhansi Encumbered Estates Act only a few years ago, they have again fallen into debt. The fact is, I admit, most deplorable. But again the question is, what was it that has put them into their present condition? It is difficult to believe that the whole body of zamindars should be willing without good and sufficient cause to encumber their estates with debt or to undergo the risk of losing their land to which they are deeply attached. The absence of statistics showing what their debts were due to, is most embarrassing. And it has yet to be shown, I submit that they were to blame for having fallen into debt so soon again. The other point is that a similar Act has been passed in the Panjab. As the Hon'ble Mover of the Bill said, the time that has elapsed since the passing of the act has been too short to admit of any definite opinions being formed regarding the effects of the measure. It was introduced as an experiment. The Hon'ble Sir Courtney Ilbert, in reviewing the measure in the Journal of Comparative Legislation, for December 1901, described it as "interesting to the students of land laws as an attempt to revive and enforce restrictions which in Western countries would be considered archaic," and said that "from the administrative point of view, it must be pronounced *a bold and hazardous experiment*, the effects of which no prophet will be confident enough to predict with any degree of assurance." The only experience that has yet been gained of the Act in the Panjab is that in general, money-lenders are unwilling to lend money on the security of any of the forms of mortgage permitted by the Act. Under these circumstances I humbly suggest that the Council should postpone consideration of the proposal until more experience has been gained of the working of the similar Act in the Punjab.

I do not wish to take up the time of the Council by dwelling upon the other objections to the Bill, because they were very fully and forcibly pointed out in the Viceroy's Legislative Council when the Panjab Bill was under consideration. It is undeniable that the proposed restriction of the right of transfer will diminish the value of land and curtail the credit of the landowner. The value of land will be reduced not merely as a security, but also as transferable property, even when it should be transferred with the sanction of the Collector. Particularly will that result follow, because practically the vendor will have to sell his land to some member of his own tribe on such terms as he may offer. And as your Honour very well knows the zamindars of Bundelkhand are not possessed of much wealth. The rates of interest which the zamindars will have to pay will naturally rise high. The Result will be that people will not be encouraged to invest their capital in land, and considering that land has already suffered from want of capital in that part of the country, that will be a serious misfortune. It will also lead inevitably to a

morcellement of land by inheritance among members of the family who own land. I might here also remind the Council that over 90 per cent of the population of Bundelkhand are Hindus. There already exists in their case a check on improper alienation of land, for under the Hindu Law, even as it is administered by the courts of justice, no member of a joint Hindu family can alienate the family property for any but necessary purposes. In addition to this there is the Court of Wards Act which deals with cases of landholders who cannot deal wisely with their property. Taking all these fact into consideration, I respectfully submit that a case has not been made out to justify the Council in proceeding to a consideration of a Bill which would results of the administrative and fiscal measures which the people of Bundelkhand will be deeply thankful to know the Government propose to introduce to ameliorate and improve their condition, by reducing the revenue demand, introducing elastic short-term settlements for five years and where necessary for still shorter periods, and by taking other steps alluded to by the Hon'ble Member in charge of the Bill. It may be that when these measures have had their beneficial operation for some time, the necessity for passing an exceptional measure of the kind under consideration will be found not to exist. I would also ask the Council to wait to see the effects of the Act passed in the Panjab.

FINANCIAL STATEMENT, 1907¹¹

The Hon. Pandit Madan Mohan Malaviya made the following speech at a meeting of the Allahabad Legislative Council held in March 1907 under the Presidentship of His Honour the Lieutenant Governor Sir John Prescott Hewett K.C.S.I., C.I.E.

Your Honour,—The Financial Statement presented to the Council by the Hon'ble the Financial Secretary has been described by him as the statement of a deficit province. The description would, in my opinion, be complete if we were to say 'of a deficit and distressful province,' distressful in more respects than one, but in none more than in this that it is not allowed by the Government of India to spend a fair share of the revenues raised in these Provinces to promote the well-being of the people.

The statement discloses provincial finance in much the same deplorable condition in which it was a year ago. The revision of the provincial settlement which we were led to hope would be taken up by the Government of India during the year, has been deferred till September, 1907, and the amelioration of our condition has thus been delayed by one year more. It is very much to be regretted that the Government of India were not able to find time to revise the settlement during the year.

Taking the statement as it stands, the improvement in the revenues of the year, due to the increase of Rs. 32,72,339 in irrigation receipts is not a matter of unmixed satisfaction; as nearly 6½ lakhs of this increase is due to the higher rate imposed on superior crops among which is classed sugarcane. In the present state of the sugar industry these enhanced rates cannot but add to the disadvantages under which it is labouring. Nor is the increase in stamp revenue a matter of satisfaction, as it is largely the result of growing litigation and of an extension of borrowings—necessitated largely by untoward circumstances. On the expenditure side of the budget, the two or three items of luxury might well have been postponed until some of the pressing wants of the people had been met. Considering the large needs of education, the provision made for it in the new budget is extremely poor. There is little provision for increased sanitation, and none evidently for any expenditure on measures to combat plague, unless it may be included in the small medical budget.¹²

Considering that the medical expenditure is only Rs. 37 per thousand in these Provinces, the provision for medical relief is equally unsatisfactory. The medical budget makes provision for meeting an exceptional run of promotion among the senior Civil Surgeons, for improving the compound of the lunatic asylum at Agra, for grants-in-aid of the building of hospitals for women, and for payments of orderlies of Civil Surgeons, but very little is provided for medicines. There is one pleasing feature, however, in the budget which deserves particular notice, namely, the provision for a beginning being made towards the assistance of indigenous industries of the Provinces, for which Rs. 25,000 has been set apart for meeting the cost of measures which may be decided upon later.

In concluding the Financial Statement the Hon'ble the Financial Secretary draws attention to the very unsatisfactory state of our provincial finance. Even with the high estimates of excise and stamp receipts which the Government of India have evidently forced this Government to make, the deficit is reckoned at 4^{2/3} lakhs. It will probably be considerably larger. The legitimate demands of expenditure have not been provided for. We cannot congratulate ourselves upon the state of our finances. We can only join the Financial Secretary in the hope that the promised revision of settlement will provide us in permanence with adequate sources of income.

Improvement in the condition of the people being the real test of good government, it would be well on the occasion of the discussion of the annual provincial budget, to consider that, if any progress has been achieved in this direction. The salient features to the situation might at least be noted and considered. Nearly twenty years ago the Government of India ordered 'an enquiry

into the economic condition of the agricultural and labouring classes in the North West Provinces and Oudh'. The result of that inquiry showed that the material condition of the people had become worse than it was some decades before, and was extremely unsatisfactory. In answer to the queries addresses to him by the Government, Mr. E.B. Alexander, Collector of Etawah, wrote: "In all ordinary years I should say that the cultivators live for at least one-third of the year on advances, and in unfavourable years, they have either to increase the amount of their debt to the Bohra or to sell off jewellery, cattle or anything else which can possibly be spared...The landless labourer's condition must still be regarded as by no means all that could be desired."¹³

Mr. White, Collector of Banda wrote: "A very large number of the lower classes of the population clearly demonstrate by the poorness of their physique that they are habitually half-starved."

"As a rule, said Mr. Rose, Collector of Ghazipur, a very large proportion of the agriculturists in a village are in debt."

Mr. Harington, Commissioner of Fyzabad, wrote: "The same authority (Mr. W.C. Benett) remarks: 'It is not till he has gone into these subjects in detail that a man can fully appreciate how terribly thin the line is which divides large masses of people from absolute nakedness and starvation.' I believe that this remark is true of every district of Oudh; the differences between them consisting in the greater or smaller extent of the always large proportion which is permanently in this depressed and dangerous condition. On the question whether the impression that the greater proportion of the people of India suffer from a daily insufficiency of foods—my one belief, after a good deal of study of the closely connected question of agricultural indebtedness, is that this impression is probably true, as regards a varying but always considerable part of the year in the greater part of India."¹⁴

These solemn statements of high officials of Government made in confidential reports showed beyond doubt that the condition of the people was lamentable. Has it changed for the better for worse during the eighteen years that have since elapsed?

This would be best made clear if the Government would order an inquiry similar to that made in 1888. The testimony of some patent facts would lead to an unhappy conclusion. Foremost among these may be mentioned the increase and decrease in the population which has taken place during the period.

The report of the last census shows that between 1891 and 1901 the total population increased from 46,905,085 to 47,691,782 or by 1.7 per cent only, while

the normal rate of increase estimated for these Provinces in 1891 was 3 per cent per year, that is to say that the actual increase has been little more than half the normal rate. Besides this, adding the number of births which took place between 1891 and 1901 to the census population of 1891, and subtracting from it the number of deaths which occurred during the same period, the population should have been in 1901 over 49 millions, but the actual population was little over 47½ millions only *i.e.*, there was a deficit of 16 lakhs. After making every possible correction and allowance Mr. Burn found that there was a deficit of between three to five lakhs and a quarter which could not be accounted for, and he had to say that the deficiency must be spread over the four black years 1894, 1895, 1896 and 1897, which were years of drought and distress. This means that at least between three to five lakhs of people died mainly of starvation and disease brought about by starvation during those four years.¹⁵

Following closely upon the heels of famine, plague has been working its ravages in these Provinces for the last seven years. More than as many lakhs of people have already fallen victims to it. The deaths in 1905-06 alone amounted to 383,802. Out of 107 towns with a population of over ten thousand, only eight had no deaths from plague. The total number of deaths recorded during the year was 2,098,300 against 1,654,949 in the preceding year and the death rate was 44 per mile as compared with 36.70 in 1904. The excess of deaths over births per thousand of population was 2.76. Twenty five districts recorded death rates in excess of birth rates. And nearly 27 per mile of the deaths, *i.e.* half the total mortality, were assigned to fever. The death rate for the whole of India was 35 per thousand, for the United Kingdom 16; for the United Provinces it was 44 per thousand.

These figures tell a sad tale. Making every allowance for differences of opinion as to the causes of the mortality, they certainly do not indicate that healthy growth and improvement in the condition of the people which we have a right to expect when large revenues are raised from the people and the country is administered by enlightened and capable men. They rather evidence a deterioration which is truly deplorable. Famine is no doubt caused by a failure of the rains, but it would not lead to any deaths from starvation if the mass of the people were not so miserably poor and their resources not so slender as they are. Nor would fever and even plague claim such a large number of victims, but for the chronic abject poverty of the people which compels them to live in insanitary surroundings, and is responsible for the general unhealthiness and the low vitality which prevail among them owing to their not always having sufficient to eat.¹⁶

This is a state of thing which loudly calls for improvement. And the true measure that I would suggest towards that end would be a reduction of the burden on land. The vast mass of the people of these Provinces depend for their subsistence on land. In the report of the last census of 1901 over 66 per cent of the people were returned as workers at, or dependents on, pasture and agriculture of all kinds. A reduction in the land revenue demand, which would result in a larger measure of the fruits of his industry being left to the tiller of the soil than is the case at present, would be the surest means of effecting an improvement in his position. I would go further and say that nothing else will without it bring about the measure of improvement which is needed. I am supported in this view by the opinion of no less eminent an authority than Mr. J.E. O'Connor, late Director-General of Statistics in India, expressed in the admirable paper which he read nearly two years ago before the Society of Arts in London. Speaking with an experience of forty years, spent on a study of the economic condition of the people, Mr. J.E. O'Connor pointed out that the condition of all classes of persons who depend directly upon land calls for much improvement, and pleaded earnestly for a change in the present agrarian policy of the Government. 'It is no complete defence of that policy,' as he rightly observed, to compare the assessment on the land to-day with the assessment in the days of our predecessors. It does not follow that we are very moderate in our demands on the land because we do not take so much as was squeezed from the cultivators by rulers and Governors who were highly esteemed if they did a man the favour of allowing him to live. We ought to arrange to let him live and thrive, not take from him the competition rent of a private landlord.

Mr. O'Connor went on to point out in clear words the right course which ought to be pursued if the condition of the agriculturist is to be improved. He said:—

"It is doubtful whether the efforts now being made to take the cultivator out of the hands of the money lender will have much effect or even if they have the fullest effect that they will materially improve the cultivators' position until a large share of the produce of the soil is left in his hands and he is protected against enhanced assessment by Government officials and against industries more important than all the rest put together, and it should receive from the State more discerning attention than, I am afraid, has as yet been given to it. We must appreciate to the full all that the State is doing, or proposing to do in the provision of irrigation, in the provisions of advances for improvements, in lessons or reformed methods of cultivation, in the introduction of new plants and imported implements; but—important as these are, specially the development of irrigation,—I have little doubt that the reduction of land revenue by 25 or 30 per cent, if the reduction is secured to the profit of the

cultivator, would be of far more value in the improvement of the class who constitute the bulk of the population and who contribute most largely to the finance of the State."

The second measure that I would recommend would be an extension of a Permanent Settlement of the land revenue to those parts of the Provinces where it does not exist at present. I am sure this will lead to a great and lasting improvement in the economic condition of the people. I acknowledge that we are better off in the matter of land revenue assessment and in having long-term settlements than some other Provinces of India. But I strongly hold that our position, though not so bad as that of some other Provinces, is still bad enough in itself, and a Permanent Settlement is needed to put a check upon a continual growth of the burden on land, and in order to make an accumulation of capital and the promotion of other industries possible in the agriculturist world.

For the last one hundred years no other large question connected with the land revenue of India has been so much and so thoroughly discussed as the question of a Permanent Settlement of the land revenue demand. Its advantages and disadvantages have been fully considered, and the result of the discussion leaves no room for doubt that such a settlement will tend in a large measure to promote prosperity and contentment among the people. Leaving the history of earlier years aside, we find that shortly after the Mutiny, proposals for such a settlement were definitely put forward by Colonel Baird Smith. In a minute recorded by the then Lieutenant-Governor of these Provinces on those proposals, he said:—

"I do not in the least doubt that the gradual and cautious concession of a guarantee of permanency to the settlement of the land revenue in the North-Western Provinces generally will be productive of all the advantages which Colonel Baird Smith, and Mr. Muir in even greater detail have depicted. Judging by the effects of settlement for long periods, it may be safely anticipated that the limitation of Government demand in perpetuity will in a much larger degree lead to the investment of capital in the land. The wealth of the agricultural classes will be increased. The prosperity of the country and the strength of the community will be augmented, Land will command a much higher price. The prospective loss which the Government will incur by relinquishing its share of the profits arising from extended cultivation and improved productiveness, will be partly, if not wholly, compensated by the indirect returns which would be derived from the increased wealth and prosperity of the country at large."¹⁷

On the 5th July 1862 that large hearted and farsighted administrator, Sir John (afterwards Lord) Lawrence recorded his opinion in favour of a Permanent Settlement for India. Said he :

"I recommend a Permanent Settlement because I am persuaded that however much the country has of late years improved, its resources will be still more rapidly developed by the limitation of the Government demand. Such a measure will still further encourage the investment of money in the land."

In a letter, dated the 9th of July 1863, Sir Charles Wood, then Secretary of State for India expressed his entire approval of the proposal of a Permanent Settlement of the land revenue of India. In that letter the Secretary of State said:—

"Her Majesty's Government entertain no doubt of the political advantages which would attend a Permanent Settlement. On the agricultural population the effect will be as pointed out by Colonel Baird Smith the elevation of the social condition of the people and their consequent ability, not only to meet successfully the pressure occasioned by seasons of distress, but in ordinary times to bear increased taxation in other forms without difficulty; the feeling of ownership or, in other words, the absolute certainty of the full enjoyment of the reward for all the labour and capital which they may invest in the land, will be sure to call out all their energies for its improvement."¹⁸

The argument which is generally put forward against a Permanent Settlement, namely, the loss for all time to Government of the prospective increase of revenue from land, was full weighed and disposed of in the following words of wisdom and far-sighted statesmanship:—

"Her Majesty's Government confidentially expect that a people in a state of contentment and progressive improvement will be able without difficulty to contribute to the revenue in other ways to such an extent as more than to compensate for the disadvantage of foregoing some prospective increase from that land."

The conclusion arrived at by Her Majesty's Government was summed up in the following words:—

"Her Majesty's Government are of opinion that the advantages which may reasonably be expected to accrue not only to those immediately connected with the land, but to the community generally, are sufficiently great to justify them in incurring the risk of some prospective loss of land revenue in order to attain them and that a settlement in perpetuity in all districts in which the conditions absolutely required as preliminary to such a measure are, or may hereafter be fulfilled, is a measure dictated by sound policy, and calculated to accelerate the development of the resources of India and to ensure in the highest degree the welfare and contentment of all classes of Her Majesty's subjects in that country."

This unambiguous declaration of Her Majesty's Government in favour of a Permanent Settlement led people to believe that the matter was definitely settled for ever. It was so regarded by the Local Government in these Provinces. In a minute recorded in 1868 Sir William Muir, the then Lieutenant Governor, wrote as follows:—

“When the subject came finally before the House and Indian Government every argument that could be urged for or against the measure was before them, and was duly weighed, and the decision was definitely come to that, under certain conditions, a Permanent Settlement should be conceded. That decision has been pronounced by the supreme authority and has been with every formality promulgated. It is no longer a matter of individual opinion, the merits and demerits of which are open to question or to discussion in official reports.”

Sir William Muir issued instructions to the Settlement officers of these Provinces to carry out the decision so arrived at in the settlements which were then in progress. But owing to some unfortunate and inexplicable cause, action was postponed and the decision practically put aside. For many years the question remained in abeyance, and then the Secretary of State for India, in his despatch, dated the 28th March 1883, declared, to the great disappointment of the Indian public, that the policy laid down in 1862 must be formally abandoned. The arguments in favour of the adoption of that policy were so weighty and numerous, that the conclusion is irresistible that the proposal was abandoned because the Government cared more for the Government revenue than for the well-being of the people.

Lord Ripon recognized the evils of periodical settlements, and with a view to minimise them and to secure to the agriculturists some of the advantages of a Permanent Settlement, his Lordship laid down, in his despatch, dated the 17th October, 1882, the principle that in districts which had once been surveyed and assessed by the Settlement Department assessment should undergo no further revision except on the sole ground of a rise in prices. This proposal had this advantage for the Government that it left the door open for an increase of land revenue on the ground of a rise in prices. But even this was rejected by the Secretary of State for India in his despatch, dated the 8th January, 1885. The result is that while the Government of India is rejoicing in surpluses obtained in no small measure by the increase in land revenue, the condition of those who contribute so largely to that revenue has been steadily deteriorating.¹⁹

It has been repeatedly said by the highest officials of Government that the agriculturists deserve the first consideration at the hands of the Government. To

quote only the latest utterance, His Excellency the Viceroy said the other day at Calcutta:—

“Our land revenue tells a tale of increasing wealth to great proprietors, but still more, I hope, of abundance of the necessities of life to the small tiller of the soil. He is the man we must strive to help. He is to a great extent the backbone of the population of India. On his welfare depends much of the happiness and contentment of the people.”

But these expressions of sympathy have not unfortunately brought much practical relief to the people. His Excellency expressed the hope that the small tiller of the soil is provided with an abundance of the necessities of life. He would be disillusioned if he would order an enquiry into the economic condition of the cultivator. The Government of India are entitled to think that they have been able to administer ‘a very palpable relief’ to the small tiller of the soil in having reduced the salt tax by Rs. 1 a maund. He will be grateful for it. But the relief that he stands even more in need of is a reduction of the land tax and a guarantee against the enhancement of the tax in future. This would be secured if a Permanent Settlement is effected on a reasonably reduced revenue. In the words of a great writer, ‘a Permanent Settlement would have an effect altogether beyond immediate calculation in stimulating the industry, enterprise and self-reliance of the agriculturists, the application of capital, the accumulation of wealth. It would contribute more than any other measure to augment the wealth of the agriculturist. It will cause all other taxes—the miscellaneous taxes to rise except the land-tax, and there will be a sufficient increase of resources from other sources of revenue.’ This then is the best means of giving a palpable relief to the agriculturist. And I earnestly hope that the desirability of introducing it will receive an earnest consideration at the hands of the Government.²⁰

The next important point connected with the welfare of the agriculturist to which I wish to invite the attention of the Government is the state of the indigenous sugar industry. Sugarcane crops occupy from 1¼ to million acres of superior land in these Provinces, and produce nearly 50 per cent, of the whole indigenous supply of sugar. Sugar has always been one of our largest industries. Speaking of sugar in the Viceroy’s Council in 1877-78, Sir John Strachey said:—

“It is one of the most important agricultural staples of those Provinces, and it is important not only to the agriculturist and manufacturers and consumers but directly to the Government, which looks greatly to sugar cultivation for its irrigation revenue.”

Mauritius sugar had then begun to be imported largely into Bombay, but the competition between it and Indian sugar had not yet reached formidable proportions and no step was taken to check it. Up to 1890 the sugar that was imported into India came almost wholly from Mauritius. After 1890, while the sugar from Mauritius continued to increase the importation from Austria and Germany vastly increased. About the same time the attention of Her Majesty's Government was drawn to the critical condition of the sugar industries in the West India islands brought about by the large imports of bounty-fed sugar of Europe there. Thereupon Her Majesty's Government called a Conference of the Powers to have the bounty system revised. When the Conference separated without coming to a practical conclusion, the Chamber of Commerce for Upper India and other bodies recommended that the Government should at once take measures to impose a countervailing duty on bounty-fed sugar. This was done, and during the two years that the countervailing duties were in force, the import of bounty-fed beet sugar was reduced from three millions to little more than a half million cwts. The other Powers agreed, however, later on to modify the system of bounties from September 1903, and the Government of India consequently ceased to levy countervailing duties from that time. With the removal of these duties the imports of the beet sugar have gone up by leaps and bounds; while the imports of refined cane sugar, chiefly from Java and Mauritius, have also been growing. The imports of the last twelve months would probably not be far short of half a million tons, i.e., will be about one-fifth of the total average production of indigenous sugar.

Mr. Moreland, Director of Land Records and Agriculture, in his article on the sugar industry in the current number of the *Agricultural Journal of India* points out that the superior foreign sugar can be landed in India at prices which give them an advantage over the cost of sugar prepared by indigenous methods, and he is driven to the conclusion that if the cost of manufacturing sugar cannot be reduced, the indigenous industry will be killed, the cultivator will lose a large part of his market and improvements in methods of cultivation will be of little avail when the increased produce is unsaleable. I acknowledge the efforts which the Government of these Provinces have been making for the last few years to introduce improved methods for the manufacture of sugar. The paper published by Mr. Moreland and the invention made by Mr. Hadi, which the Government is endeavouring to popularise, are no doubt calculated to improve the position of the Swadeshi sugar industry. Every effort should be made to start more factories, to produce cheap and good sugar, according to modern methods. But we should not delude ourselves with the hope that there will be such a sudden, rapid, and considerable development of

such factories as will enable the indigenous industry to successfully compete with, and keep out, foreign sugar. The people have not the necessary scientific training and skill needed for the business, nor have they yet been trained to the organization and enterprise of their foreign competitors.

Even when new factories are started on modern lines, the competition of the foreign sugar will still greatly hinder the growth of the indigenous industry. In the last annual report, the Director of the Cawnpore Sugar Works stated that 'the sugar refining industry in India has had to contend against a combination of adverse circumstances which the Board have no hesitation in describing as unparalleled, chief among these being the high prices of the raw material and the enormous import of beet and cane sugar from foreign countries where Bumper crops had been reaped.' It has been observed by a great English writer that 'a country may be so over-governed by a watchful administration as to loss, to a greater or less extent, the spirit of enterprise or initiation, and thereby to be weakened in the legitimate rivalry of nations.' The truth of it is sadly illustrated in the condition of our people; and it is clear that having regard to the relative positions of the foreign and the native industry, and the general want of scientific training and enterprise among the people, to rely only upon improved processes of refining and manufacturing sugar to save the indigenous industry from extinction would be unwise. What then is the remedy?²¹

In my opinion the only measure which can at the present juncture save the indigenous industry from being killed by foreign competition is a prohibitive import duty. Even the *Pioneer* admits that such a duty is the only means by which foreign sugar could be kept out of the country; but I regret that it opines that it may be taken for granted that no such duty will ever again be imposed. I venture to submit that the removal of the countervailing duties was, as subsequent events have proved it, a great mistake. Failure to impose an import duty even now would be a greater mistake and will have disastrous results on the happiness and contentment of a large number of the people.²²

The position of the sugar industry is now much worse than it was in 1899, when the Government of India thought it fit to protect it by imposing countervailing duties on foreign sugar. In the last Administration report the Government of these Provinces says that 'the sugar industry remains depressed, and under existing conditions, cannot withstand the competition of foreign sugar.' In a letter which His Honour the Lieutenant Governor of the North Western Provinces addressed to the Government of India in 1899, he pointed out how the importation of bounty-fed sugar had injured and was injuring the indigenous industry, and what His Honour urged then, is true even to-day, *i.e.*, that—

"It is of much importance to these provinces to preserve their sugar industry on the basis of present arrangements than to have a cheap foreign sugar supplied to the consumers of the refined article."

The arguments then advanced by Sir James Andrew Westland to justify the imposition of an import duty on bounty-fed sugar apply with greater force to the case of foreign sugar to-day. I cannot do better than quote here the concluding words uttered by Sir James Westland in introducing the Bill in 1899. He said:—

"I think therefore the Council may take it as proved that we are in the presence of a real danger to an important industry, and I trust they are sufficiently convinced that the time has come when if we are to protect our sugar industry in the country which is extremely important, it is necessary for us to take measures against bounty-fed importation. Of course we might wait a little longer; we might wait till our refineries are still further closed, and till the raiyats are so impoverished as to give up cultivation altogether; but it is better in these matters, I think, to take protective measures beforehand, because it is far more easy to revive and encourage and existing industry than to restore one which has been by adverse circumstances extinguished."

I would only substitute the word 'foreign' for 'bounty-fed' in this quotation, and would earnestly request Your Honour to commend the wisdom of these words to the Government of India.

I hope, Sir, that the recommendation that I have made will not be summarily rejected because it offends against the doctrines of free trade. Even Mr. Mill considered it expedient that protection should be given to certain industries in a new country provided that the country had good natural resources for the successful prosecution of such an industry and the protection accorded to it was only temporary. If a policy of protection is permissible to foster a new industry in a new country, it is more than permissible to protect a large and ancient industry from extinction by foreign competition. Dogmas apart, neither protection nor free trade is beneficial for every country at every stage of its development. As was once observed by Bismarck, free trade is the weapon of the strongest. It suits admirably an industrially advanced country like England; for an industrially backward country like India the policy of protection is a policy of wisdom and safety. I cannot better illustrate my position than by quoting here the remarks made by Count De Witte, the well-known Russian Minister of Finance, at the Congress for a discussion of the trade of Russia in 1903. Said the Count :

"That the State, in the province of consumption should furnish the population with cheap and suitable produce; and in the province of production, develop the

productive powers of the country. A protective policy endeavours to attain this object by creating advantageous conditions for developing the national wealth of the country and by this means gradually inciting home competition, which must necessarily reduce the price of products to the normal cost of properly managed production, *plus* a normal profit for capital. Free trade specially furnishes a population with cheap produce by opening their frontiers to the entire world; but the history of the economical development of nations gives hardly an instance in which such a policy has brought about a development of the productive powers of a nation. In any case the selection of a policy of protection or free trade depends upon conditions which occur at a given period. Hence we find that nations have frequently altered their commercial and industrial systems in the course of their historical development. England created her industry by rigorous protection, and when by this means she had become industrially and commercially stronger than any other nation, and therefore, feared no competition, she adopted a policy of free trade and her talented writers began to assure the world that a policy of free trade was based upon invariable and indisputable scientific principles, and ought, therefore to be followed in practice by all nations. And yet, now that some countries, having turned a deaf ear to the theory of free trade, have developed their industries by protection and so become serious competitors to British trade in the world's market, a certain tendency may be noticed in England towards Protectionism. America was one of those countries which were not allured by the theory of free trade. She has acquired unprecedented industrial activity through protection; a voice was heard there calling for free trade, as in England, at the beginning of the last century.'

I am not pleading at this moment for a general import duty; nor am I asking for a protective duty to foster a new industry. All that I am pleading for, is protection to a large existing industry which is exposed to the danger of extinction from foreign competition. I venture to think that no free country in the world would hesitate to adopt such a measure as I recommend, to protect such a large and valuable national industry as our sugar industry. And I hope that the Government of England will allow the Government of India to impose such a duty. Happily for us there is no conflict of interests in this matter between England and India, as England does not produce any sugar; and no other nation can raise any reasonable objection to the proposal. The Government of India can well say to all, as it said in 1899 through Sir James Westland, that 'we only wish to protect our own industry; and we claim the same right to preserve our industry in this country as foreign nations no doubt claim to preserve and encourage the sugar industry and sugar cultivation in their

own territories.' The Government recognized the wisdom of protecting indigenous sugar by an import duty in 1899. I hope they will recognize it equally well now. Of course the protections such a duty as I recommend will be needed only for a time, that is to say, during the time in which the indigenous industry must be developed by the co-operation of the Government and the public so to be able to compete successfully with the foreign article without any protection.

It is satisfactory to note that the sentiment against the use of foreign sugar, and, in favour of the use of swadeshi sugar, is growing in intensity and spreading in the country. Earnest efforts are being made in various places through sabhas, societies and panchayats to discard and discourage the use of foreign sugar either on religious or economic grounds. But these efforts, and the sacrifices they involve, though commendable, cannot by themselves succeed in putting a stop to, or even largely checking the import of the foreign article. And the people will warmly welcome such a protective measure as I have suggested and feel deeply grateful to Government for it.

The interest which your Honour has been pleased to evince in the cause of swadeshi sugar leads me to hope that all that is possible will be done by Your Honour to preserve and encourage our sugar industry. I hope you will be pleased to consider the suggestion which I have made, and to commend it to the Government of India for early consideration.

The next measure needed to improve the material condition of the agriculturist is agricultural education. The reorganization of the Department of agriculture on a large scale, the provision for the establishment of an agricultural college with research laboratories at Cawnpore, and for the establishment of agricultural stations, with experimental farms, are all matters for congratulation. But in order to provide for an effective system of agricultural education, it is necessary that we should take a leaf out of the book of Japan, and establish schools all over the Provinces for elementary and secondary education in agriculture. There are 503 supplementary agricultural schools of the elementary agricultural knowledge of those who have completed their primary education, and there are 57 secondary institutions which are intended to give a scientific and practical training to the future farmers of the middle class. Graduates of the College of Agriculture at Tokyo, which I hope our Agricultural College at Cawnpore will grow in likeness to, mostly become teachers, or engage in research. If similar provision is made here for instruction in scientific agriculture, the Indian agriculturist will be able, as much as his brother in Japan or America or Europe, to grow better and richer crops, to make

the soil yield more than it does at present. It is time that such a system were introduced.

"It has been repeated times without number, and it is true, that agriculture must remain the foremost national industry of India. But when this is said, only half the problem is stated. A purely agricultural country cannot prosper and be self-supporting any more than a merely manufacturing country. Especially when we have a vast continent situated as India is, favoured by nature as few other countries are, with immense natural resources to be developed, and a vast population to be served, it is essential for its prosperity that it should develop manufacturing industries as well as agricultural. It is gratifying to note that a welcome change has come about the attitude of the Government towards the encouragement of indigenous industries. This change was clearly foreshadowed in the memorable speech delivered by Your Honour as the Member of the Government of India in charge of the Department of Commerce and Industry last March in the Viceroy's Legislative Council. Your Honour has, since assuming charge of your present office, evinced much interest in the strong sympathy with the movement for the development of indigenous industries. And I look forward with hope to a great industrial advancement in these Provinces during Your Honour's administration. The first step that should be taken in the direction of industrial development is to make an exhaustive survey of the state of indigenous industries in the Provinces. I need not say much to prove the necessity of such a survey, as Your Honour yourself, speaking in another capacity last year, urged Provincial Governments to institute such surveys. We are thankful that in the very short time that has elapsed between your taking charge of your present exalted office and now, Your Honour has already taken the first steps in what I hope will be an exhaustive and fruitful investigation. If I may make a suggestion, I will say that the survey should be made on the lines of the industrial Survey of Kolhapur State. That Survey was commenced in July 1882 and completed in March 1885, and it placed a mine of valuable information before the Government and the public as to the possibility of starting new industries.

The next thing to do will be to appoint a committee of educational experts and professional men in order to turn the knowledge acquired by the survey to the best account. The Government of India recognized the importance of such a step in the year 1888. And it was with regret that I learnt last week that it was decided two years later that such a survey was not required. But now that the importance of the latter step has been again recognized, thanks mostly to Your Honour yourself, I trust that the further step mentioned above will also be taken. It is not, however,

necessary that mean while, we should stand still and not advance some steps forward in pushing technical education in these Provinces.

In view of the particular importance of technical education at the present time, I bet leave to offer a few more observations on it. It is high time that a well-considered and complete system of technical education was introduced into these Provinces. Such a system should provide necessary instruction for all the different classes of persons who may desire to be engaged in productive industry, namely, as mechanical engineers, workmen, foremen, or overseers, and managers or masters. The industries in which they are likely to be employed may conveniently be referred to as manufactures, handicrafts, art industries and agriculture. I have already dealt with agriculture, and I leave aside art industries for the present. I would confine my remarks now to manufactures and handicrafts. And I submit that there should be at least one institution in these Provinces for giving instruction in the former, and one school in every district for giving instruction in the latter. I am willing that for the present attention may be mainly directed to the textile industries and the sugar industry, while in what I may call the secondary technical schools which I wish to see started in every district, teaching may be restricted to those handicrafts which are, as it were native to the district, special provision being made for instruction in handloom weaving in nearly every one of the schools. In the superior institution for the teaching of manufacturing industries which I have mentioned, provision should be made for training managers and foremen, and instruction should be imparted at least in industrial chemistry, mechanical engineering, textile manufacture and sugar refining. I acknowledge with thankfulness the improvement made in the Thomason Engineering College at Roorkee and the further improvements that are in contemplation there. But I submit that a superior Technical College like the Higher Technical School at Tokyo is an urgent and pressing want in these Provinces, and I think I make no extravagant or unreasonable demand on Government in urging the establishment of such a college. It is clearly the duty of Government to provide at least one such institution in such a large country as the United Provinces.

As regards secondary technical schools, I think Government should open one such school in every district. I will be content even if one school is started in every division as a beginning, for giving instruction in weaving, dyeing, bleaching, calico-printing, smithy, carpentry, enamelling, etc., Foremen and assistant should be trained in these schools.

I attach particular importance to weaving schools, with a workshop factory attached for imparting instruction in the use of improved looms with their

accessories. India was probably the first of all countries that perfected weaving. 'The tide of circumstances has compelled the Indian weaver to exchange his loom for the plough.' But the hand-loom still plays a great part in the economy of the Indian weaving industry. Twice the quantity of cloth manufactured in power-loom mills is still produced by hand-loom. At the time of the last census nearly 9½ lakhs of people were employed in the weaving industry in these Provinces alone. And if improved looms are brought into use on a large scale, the Indian weaver will still have a bright future before him.

I am thoroughly alive to the necessity of substituting as far as possible, machine power for hand power, if we are successfully to fight our skilled and powerful competitors of the West. But I am not among those who think that our ancient cottage industries must be given up as useless. We ought to remember that not more than a comparatively small fraction of the population can ever be absorbed in great manufacturing enterprises. And the problem of ameliorating the condition of the mass of our artizan population will remain unsolved unless they are instructed and trained so as to become more skilled in their crafts so as to be qualified to earn at least living wages. In this connection it is relevant to cite the opinion of Prince Kropatkin who argues that 'centrifugal forces already so far possess the upper hand that, not only in agriculture but in most branches of manufacture, the small business intelligently ordered and combining personal industry with the utilisation of scientific resources can outstrip great industries alike in productivity and profit.' Another writer, Mr. J.A. Hobson, rightly observes that:—

'The notion that all the manufactures are being absorbed by the factory system and are passing into the firms of great industries, that all the workers will gradually become employees of huge joint-stock companies, employing the most highly evolved machinery and the most scientific organization is a false generalisation which finds no support from the current statistics of occupations... When turning our eyes away from the dramatic rise of Trusts and Companies we survey more calmly the industrial field, we perceive not merely the survival of large clusters of small businesses in the older industries but the growth of new industries on a basis of small production. Those who contemptuously dismiss the small or domestic workshop as a morbid and abolescent form kept alive by cheap labour, and the "sweating system" ignore the more important causes making for the persistence of small privately ordered business... In the metal trades of such centres as Birmingham and Sheffield a vast amount of industry remains in the hands of small men.'

The conditions of India render the preservation and revival of our hand industries peculiarly important, and hand-loom weaving being by far the most extensive of these, and being easily capable of great development I venture to make a special appeal to the Government to establish model weaving schools and hand-loom factories at suitable localities in these Provinces.

It is also necessary that manual training should be introduced in all general schools. Speaking of the importance of manual training Professor William James of Harvard says:—

“The most colossal improvement which recent years have seen in secondary education lies in the introduction of the manual training schools; not because they will give us a people more handy and practical for domestic life, and better skilled in trades, but because they will give us citizens with an entirely different intellectual fibre. Laboratory work and shop work engender a habit of observation, a knowledge of the difference between accuracy and vagueness, and an insight into nature’s complexity and into the inadequacy of all verbal accounts of real phenomena, which, once brought into the minds, remain there as life long possessions. They beget a habit of self-reliance. They occupy the pupil in a way most congruous with the spontaneous interests of his age. They absorb him and leave impressions durable and profound. Compared with the youth taught by these methods, one brought up exclusively on books carries through life a certain remoteness from reality; he stands, as it were, out of the pale, and feels that he stands so; and often suffers a kind of melancholy from which he might have been rescued by more real education.”

In America and many other civilized countries, which have developed a national system of education of scientific lines, a well educated man must have been trained in the use of his hands. And so should he be here.

I cannot conclude my remarks on this subject without inviting the attention both of the Government and the public to the great industrial development that has taken place, in the last twenty-five years in Japan, and to the admirable system of industrial education which has brought about that development. It has a great lesson to teach us. Less than thirty years ago, Japan was, as India still is essentially an agricultural country. It has now become a great industrial and commercial country. The agricultural exports of Japan including raw silk formed 51.6 per cent of her total exports in 1890. They had fallen to 37.8 per cent, in 1902, whilst her industrial exports had risen from 18 to 38 per cent. These exports consisted of woven goods, cotton yarn and raw silk, paper, porcelain and earthen ware,

lacquered ware and matches. This change has been brought about by the system of industrial education introduced in Japan.

Industrial education in Japan may be dated from the establishment in 1873 of what is now the Engineering College at Tokyo, followed by that of the Higher Technological School of Tokyo which was established in May, 1881, and which received its present appellation on the 10th May 1901. In course of time industrial schools of secondary and elementary grades were established. The result was that in 1898 the Minister of Japan had the satisfaction to remark in his report: 'Industry is now passing from a limited scale of development to a more organized system on a large scale.' The Government fully recognized their duty of training competent teachers and for that purpose increased the number of higher technical schools.

Industrial education now imparted in Japan is divided into three grades :

- (1) The Lowest, or elementary grade of which there are 44 supplementary technical schools and 33 apprentices' schools. The expenditure on these schools amounted in 1902 to Rs. 2,13,255;
- (2) Of intermediate, or secondary grade of which there are 25 industrial schools, which received in 1902 more than Rs. 93,000 from the Government; and
- (3) Of the advanced grade, in which there are the three higher technical schools, the Engineering Department of the fifth higher school and the Engineering Colleges of the Imperial University.

The general subjects taught in supplementary technical schools include morals, Japanese, arithmetic; the special subjects, physics, chemistry, practical geometry, drawing, mechanics, dynamics, dyeing, weaving, applied chemistry, industrial designs &c.. The industrial schools which were 25 in number in 1902 trained foremen and managers 'who have played a considerable part in the industrial development of Japan.' "The Higher technical schools," says the writer from whose report I have taken these facts "attach great importance to practical skill, and are equipped with numerous workshops and the newest apparatus and books so as to keep their students abreast of industrial progress." The most famous of these schools, namely, that of Tokyo, had in 1902, 61 instructors and 957 pupils, and the expenditure on it amounted to only Rs. 1,23,660. Thus the money which the Government of Japan spends on the Higher Technological Schools at Tokyo and the numerous secondary and elementary technical schools amounted in 1902 to less than 4½ lakhs.²³ Is it too much to ask of the Government of these Provinces, which raises nearly 12 crores of rupees from the people, to spare such a small sum to build up a system of industrial education like that of Japan? There is no branch of public

education which deserves more immediate attention. The Government might well take that system as a model and a guide and make it the harbinger of a new era of national prosperity for the people entrusted to its care.

But both agricultural and industrial education should be built upon the foundation of a general primary education. And yet how deplorably backward we are even in the matter of such education. It is satisfactory to learn that the Government of India contemplate making primary education free all over the country. This would be a step in the right direction. But what is needed further is that primary education should be made compulsory as it is in England and Japan. It would do us good to look again at the progress which Japan has made in this matter also during the last thirty years only. It was then more ignorant than we were. But there were 27,000 primary schools in Japan in 1902, with over 50 lakhs of children receiving instruction in them; in the United Provinces, we had last year only 9,799 such schools, with only 4 lakhs and eleven thousand scholars; The total State expenditure on primary education in Japan in 1902 was nearly 5 crores a year. In the United Provinces it was only 14 lakhs a year! If we cannot rise to the scale of Japan at present, can there be any excuse for keeping the expenditure on education so low here as it is? Our late Director of Public Instruction repeatedly pointed out that the expenditure on education was lower in these Provinces than in any other Province of India, and he showed that an addition to that expenditure of 80 lakhs a year was needed to put us on the same level with the sister Province of Bombay. But in spite of our repeated earnest representations, the Government of India have not yet seen their way to permit us to appropriate a sufficient portion of our revenues to meet even his most pressing expenditure. We have been contributing large revenues every year to the Imperial Exchequer. We have been crying for more schools, for more education. But it has not been given to us. It is our misfortune, not our fault, that we continue to be the most ignorant Provinces in the Indian Empire!

Nor is our position better in the matter of local and municipal finance. The condition of local and municipal finance is no doubt slightly better now than it was a few years ago, but it cannot yet be said to be satisfactory. These bodies are still living from hand to mouth. They are not in a position adequately to discharge the many important duties that are cast upon them; and while, as I believe, they have reached the limits of their resources, even their primary needs are not yet sufficiently provided for. What is needed is that in the first place the resources of both Municipal and District Boards should be considerably augmented not by periodical doles from the Supreme or the Provincial Government, but by definite

annual subventions for general or special purposes. These may be either in the shape of assignments of the proceeds of some Imperial tax or of grants-in-aid. In the second place they should be totally relieved of all plague expenditure.

That Local and Municipal Bodies stand in need of such assistance cannot be disputed. The receipts of all the Municipalities in the United Provinces in the year 1905-06 did not exceed 72 lakhs, while their expenditure, restricted as it was, came to little over 71 lakhs. Out of a total municipal revenue of 72 lakhs the contribution from Government amounted to only Rs. 2, 34,000 or $3\frac{1}{4}$ per cent.

The expenditure on education was 3 lakhs, or $4\frac{1}{4}$ per cent; on medical relief a little less than $1\frac{3}{4}$ lakhs, or $2\frac{1}{2}$ per cent, and on sanitation, including water-supply, drainage and conservancy, it was less than 31 lakhs, or 43 per cent, inclusive of capital outlay on water and drainage works. And no serious and far-reaching steps seem to have been taken to check the ravages of plague which has for years been decimating the entire provinces. Nor can the incidence of municipal taxation per head of population be said to be low, as Rs. 1-8-3 in addition to the Imperial taxation of nearly Rs. 3 per head per annum is by no means a small sum to pay for the mass of the poor people of these Provinces. The bulk of rates is derived from Octroi, and indirect impost which at once causes vexation, restricts trade, and is somewhat demoralising as it affords much scope for corruption. The sugar industry of the Province is already very unfavorably situated, and while the recent enhancement of water rate on sugar-cane cultivation does not exactly act as an inducement for extended cultivation of that crop, it is stated that, 'at Fyzabad the levy of Octroi, which is indefensible will shortly be replaced by a tax on the refining industry.'

Such are the experiences to which needy Municipal Boards are being driven. In several towns new taxes were imposed in the year 1904-05, a year during which in several places consumption of even grain was low on account of plague, as is stated in the Government resolution on Municipal administration. The Government says in that resolution that 'there is a very general demand for the extension of waterworks and supply in the larger places, and much more money could be profitably spend of more were available.' Funds are surely needed in many places for expenditure on drainage and sewerage works also, but evidently they are not forthcoming. 'A large number of towns' says the Government resolution from which I am quoting, 'have schemes under consideration or ready to be put in hand, but in most cases funds are not immediately available. In four places the work of drainage which is going on is part only of complete schemes which at present have to be carried out piecemeal owing to the amount of money involved. In Benares, for example, estimates amounting to 20 lakhs have been approved by the Government,

while Luchnow and Allahabad are drawing up schemes which will probably cost not less than 20 lakhs and 6 lakhs respectively. Fyzabad is as yet unable to round off its projects to completion but the anticipated cost is large.'

The Government says in its resolution:—Upon the satisfactory large diminution in plague charges Allahabad has most reason to congratulate itself, as its expenditure was reduced by over Rs. 32,000; But Benares, Cawnpore and Mirzapur were also called upon to spend much less than in the previous year. It is possible to take another view of these reductions that in plague expenditure, as they were due not to and abatement of the epidemic but what I venture to call ill-judged economy. Government is pleased to recognize the expanding interest of the people in education but what avails it, if the provision of funds continues to be so meagre as it is at present. The extreme poverty of the progress made is illustrated by the smallness of increase in the number of primary schools, viz., from 374 to 454.

Take again the unsatisfactory character of public health, and the need for a large expenditure on sanitation. The fall in the number of recorded death is hailed by the Government as a 'very satisfactory' improvement, but the provincial death rate is still exceedingly high at 46.51 per mille, while in four places the death rate was above 70 per mille, and in four, above 60. The general health is pronounced unsatisfactory and bad in so many as 17 municipalities, the death rate in many of which of which was appallingly high.

Finances of Agra Municipality :

'The expansion of the city necessitates execution of a number of works for which the existing resources are clearly inadequate. But the growing demand for water, calls for further costly extension to the works at an early date; the city drainage must be enlarged; improvement is needed for the northern suburbs; a conservancy tram way is urgently needed; and the construction of a free ganj is under consideration, to name a few urgent works only. It would appear that the Board's normal income is insufficient even to cover its expenditure, if the latter is to be worthy of the town, and to meet the new outlay, more money is certainly required.

The income from local taxation is already high, as the Government admits, being Rs. 2-1-9 per head; that is much above the provincial average. To levy fresh taxation is therefore out of the question. If the many useful works mentioned are to be carried out help must come from the Provincial Treasure. Of Allahabad, I can say nearly as much as Government says of the urgent needs of the Agra municipality, but its financial condition hardly admits of more expenditure even on its primary requirements. Of another first class city, Benares, where the mortality was 67.99 per mille the Government says :

'The situation is still unsatisfactory; even with a curtailment of the expenditure on urgent public works, the Board was unable to avoid a deficit, which, if abnormal figures be excluded, would work out at about Rs. 25,000. Should it be found impossible to revive the pilgrim tax in a modified form, the Board will have to devise some other means of increasing its income without delay, for drainage, water-works and conservancy all need money.'

I hope the pilgrim tax will not be revived in any form; help ought to come from the Government. Of Lucknow, it is said, 'it is difficult to see how the drainage is to be completed with the Board's present resources.'

In summing up, the Government says that 'for drainage, improvement of wells, and other water-supply, pavement of lanes, conservancy and general extension of sanitary supervision, more money is needed. The Government has made grants to the limit of its capacity and has brought the necessity of further help to the notice of the Government of India. The important towns of Agra and Benares, to name no others, are in need of large sums for the most pressing projects, of the execution of which there is for the want of these funds no immediate prospect.'

I do not quarrel with the statement that this Government has reached the limit of its capacity in making grants to the Municipal Boards, and I thank the Government for its action in bringing the necessity of further help to the notice of the Government of India. What I lay stress on is the immediate necessity of such further help. As I have already pointed out, Government grants during the year 1904-05, the latest year for which figures are available, did not come to more than 3½ per cent, of the total receipts of the municipalities, and this is a very small fraction indeed. Government having recognized the principle of making such contributions, I very much wish that it would go much further than it has yet done in this direction. This is done in European countries, and the needs of the situation in India, and in these Provinces in particular, more imperatively demand it. As Professor Nicholson, one of the greatest living authorities on the subject, has pointed out in one of his recent books, for the last sixty years every Government in England, Liberal and Conservative, has admitted the necessity of Imperial contributions to Local Bodies. Professor Bastable also observes that 'among the chief changes in the system of local finance in England since 1870 has been the automatic growth of the share of tax revenue assigned to local purposes.'

In 1842-43, in England and Wales, 98 per cent of the money needed for local purposes was raised locally, only 2 per cent was granted by Parliament. By 1891-92, that is, in fifty years, the proportions had changed to 79 per cent, raised by rates to 21 per cent, granted by Parliament. And of the local expenditure of England and

wales for the year 1902-03, only 39 per cent, was raised by rate, while a sum equal to one-fourth of the rates, was contributed by the State from Imperial taxation, the rest being met by tolls and dues, &c.

The above survey of the situation in England in respect of local finance shows clearly to wisdom and necessity for largely supplementing the income from rates by subventions from the Government. This, as I have said before, may be done in one of two ways—by grants-in-aid or by assignment of the proceeds of some Imperial taxation, like the excise or the income-tax for local purposes. What is important is that the broad principle on which aid ought to be given to local authorities should be recognized, namely, 'that it is the central Government that is really responsible for certain services, although for administrative reasons it entrusts the carrying out of them to the local authorities, and that therefore these authorities are, so to speak, merely agents for the central authorities, and should, as such receive the necessary cost from the national funds'. I venture to think that having regard to all the circumstances of the situation it will be generally agreed that whatever reforms may be effected in local taxation, a great deal more of assistance and relief must be afforded to local bodies from the Imperial Exchequer. This is true of even rich England; it is still more true of India and of these Provinces.²⁴

There is one act of financial justice, and of pressing necessity which it is my duty to urge on the Government. I submit that District and Municipal Boards cannot be justly called upon and should not be saddled with the plague expenditure, which is more properly a charge on the Government revenues, as plague is no longer a local calamity, but is spread over the entire length and breadth of the provinces. 'As a general principle of equity,' says Professor Nicholson, 'national charges must be met from national funds, just as local benefits should be met from local funds.' Plague is a national charge and not a local one, and the all too slender resources of Local Bodies should not be taxed with the expenditure incurred on what has long since become a national, an imperial affair.

In concluding its review of Municipal Administration in these Provinces in the year 1904-05 the Government was pleased to bear generous testimony to the excellence of the work done by the Municipal Boards. 'On the whole, it may be said,' wrote the Government, 'that municipal boards have justified the trust reposed in them; that their administration is guided by an increasing sense of responsibility and that their services have merited the approval of the Government and the citizens. The Lieutenant Governor is glad to have the opportunity of expressing his gratification at the hopeful prospect which lies before municipal self-government in this province.' I submit that there is not a better way of practically recognizing the

success which has attended the work of Municipal Boards than by placing adequate resources at their disposal, so that they may render more useful public service and deserve even better of the Government as well as the people.

It is clear from all that has been said before that these Provinces stand sorely in need of more sanitation and more medical relief, and it is equally clear that there can be no hope for progress in either of these directions, unless and until the resources of Municipal and District boards are largely augmented.

Of all the questions that affect the people of these Provinces there is none which demands more earnest and more immediate attention than plague. This fell disease has been working its ravages among us for seven years now, The loss of life which it has inflicted during this period is simply appalling; the misery caused by it, is indescribable. So many as 383,802 died of plague in 1905-06. I cannot say what the death roll for the current year will be, but judging from the figures which the Gazette has been recording week after week, the total for this year also will be very high. In the midst of the sorrow which these figures represent, it is pertinent to ask what measures the Government has been taking to check the ravages of this disease, or to help the people to fight against it. It cannot be disputed that it is the duty of the Government to put forth its best resources to arrest the progress of this enemy and to protect the people, as far as possible from being devoured by it. But there is a feeling spreading among the people that the Government is not doing its duty fully in this matter; that it is in fact doing even less now than it did in the earlier years. There is certainly need for much greater activity and expenditure.

The sad and bitter experience of several years has taught the people to believe that running away from an infected area at the earliest opportunity is the surest means of escape from plague. The first need of the situation, therefore, is to give them all the help that the State can give to enable them to profit by this experience. And this can be best done by the establishment of health camps in every infected city and district, outside the limit of the infected areas, like those that are established year after year in Allahabad. The Government was pleased to recognise the usefulness of such health camps three year ago, and issued a resolution to encourage the establishment of such camps. But the orders were rendered infructuous, because the Government laid down that the people who were to live in such camps should make their own arrangements for watch and ward. If the Government will be pleased to issue fresh instructions to Municipal and District Boards to establish such health camps and to provide them with light and water, and if it will issue orders that the district authorities should provide the necessary police protection for them, tens of thousands of people will seek shelter in them and thank the Government for saving them from falling into the jaws of death.

The next thing needed is to adopt measures for improving the sanitary conditions under which the people live, so as to afford them permanent protection from plague. Three years ago it was stated that the Government of these Provinces had adopted the policy of regarding sanitation as the main line of defence. But we have seen how, mainly owing to want of funds, little has been done in the way of improving sanitation. What the situation demands is that a comprehensive and well-considered policy of sanitation should be adopted and worked out systematically and with vigour. A few model villages should be built in every municipality on approved sanitary plans, and leases of public land should be given on easy terms to private individuals to encourage them to build houses on approved plans outside the crowded parts of the city. I am deeply thankful to say that Government has been pleased to grant leases for eighty new houses which will form such a model village as I have suggested, at Allahabad. What is needed is that the policy which has been so well begun at Lukerganj at Allahabad should be carried out in other parts of that city and in other cities, towns and villages of the United Provinces.²⁵

It is also necessary that both in towns and villages, congested areas should be opened up, insanitary dwellings improved or pulled down, narrow lanes widened and paved, and the system of drainage improved all over the Provinces.

The proposals I have put forward are, by the necessity of the case, large and some of them drastic. But they are neither impracticable nor extravagant. To promote public health and sanitation, similar measures have had to be adopted in England.

The functions of local administrations with respect to the dwelling of the poor are set forth in many Acts of Parliament. Power to build new lodging houses for the labouring classes, or to buy such as already exist, is given by a series of Acts. Municipal corporations are permitted with the sanction of the Treasury to grant long leases of corporate land whereon to build working men's dwellings. The Artizans' and Labourers' Dwellings Improvement Act, 1875, provides for the compulsory purchase and clearance of unhealthy areas and towns and for making improvements thereon. The necessary power are vested in the urban sanitary authorities.

Our one Municipal Boards can exercise some similar powers. But they need both direction and funds from the Government to do so; and these ought to be given both ungrudgingly and without delay.

The suggestions made above all involve a large outlay in expenditure. But the taxes paid by the people place amply revenues in the hands of the Government to

meet it. A great deal of our backwardness and consequent misery is due to the fact that the Government of India appropriate too large a proportion of these revenues for what may be called Imperial purposes, and leave too small a portion of them for expenditure within the Provinces on purposes which affect the most vital interests of the people. I do not wish to go into figures here. Several of us have gone into them in the last few years, and have shown that while these Provinces contribute the largest amount of revenues, larger than that of rich Bengal, and larger still than that of Bombay,—the percentage of our revenues allotted to us for all domestic progress and reform is smaller than that allowed to any other province of India. The present provincial settlement is both arbitrary and unjust. It does not seem to take note either of our contributions or our needs.

I have dwelt at great length on some of the crying wants of these Provinces in order to show how badly we stand in need of a much larger provincial assignment. As the Provincial Government has to provide for all the many direct requirements of people it would be but fair to leave three-fourths of the revenues to be spent within the Provinces, and to take only one-fourth for Imperial purposes. But if that cannot be done at once, we should certainly be allowed to keep half of our revenues for expenditure within the province. As the entire possibility of ameliorating the condition of our people, of promoting their prosperity, depends upon the amount of revenues which the Government of India will allot to us for provincial purposes, we shall be looking most anxiously forward to the promised revision of settlement, when I hope that in the interests of the vast mass of human beings who inhabit these Provinces, the Government of India will make an assignment for our Provinces which will enable us to advance in education, civilization and prosperity as the subjects of an enlightened Government should.

Before I conclude, I wish briefly to refer to a few other matters which call for attention. There is a widespread complaint that the claims of Indians to a fair share of the public services of their country do not yet receive that fair recognition which they have every right to expect. Indian lawyers have filled the highest offices in the Judicial Service with conspicuous ability, and it is time that at least two seats were reserved for them on the Bench of the High Court, and one in the Judicial Commissioner's Court in these Provinces. I hope that the Government will take their claims into consideration when the next vacancies occur in either of these Courts. The claims of the Subordinate Judicial Service also require attention. Nearly eighteen years have elapsed since the Government of these Provinces acting under the orders of the Secretary of State, declared that four District Judgeships would be reserved for members of the Provincial Service. Not one of these posts has

yet been given permanently to any member of the Provincial Service. When the members of the Statutory Civil Service declined the invitation to join the Provincial Service, as they were perfectly justified in doing, their existence cannot justly be pleaded as an excuse for shutting the members of the Provincial Service out of the posts which were reserved for them. They have in this a very just grievance, and I hope that Your Honour will be pleased to remove it, and to do justice to the claims of a deserving body of public servants. There is also a long-standing complaint that the Subordinate Judicial Service is undermanned and overworked. The staff of the service should be strengthened and their salaries put on the same level as in Bengal. A re-distribution of the territorial jurisdiction of the courts is also urgently called for both in the interests of the service and the public.

The complaint which was voiced three years ago both in this Council and in the Viceroy's Council that the claims of Indians are not fairly treated even in filling up ministerial appointments in public offices, continues unremedied. I invite Your Honour's attention to it. If Your Honour will be pleased to call for a return you will, I venture to think, be satisfied that the complaint is well founded, and that it is necessary to lay down rules to ensue justice being done to the claims of all classes of His Majesty's subjects alike.

The Court of Wards is a beneficial institution. But it has become very grasping in its jurisdiction in these Provinces. There were 198 estates under its charge last year. Probably in no other province are owners of estates so easily declared to be incompetent to manage their affairs as in these Provinces. In some cases estates have been taken under the charge of the Court of Wards against the will, though ostensibly, on the application of the owner, on grounds which will not bear examination. I may mention the Bijaigarh estate in the Mirzapur district as an instance. I have neither the time nor the inclination to go into the history of the case here. If Your Honour will, I venture to think, be satisfied that there is need for greater caution in sanctioning the taking up of estates under the Court of Wards.

The people of Kumaun have long been anxious that their Division should cease to be a non-regulation tract, and be brought under the regular jurisdiction of the High Court in civil matters, as it is at present in criminal matters. Their prayer seems to be a perfectly reasonable one, and I commend it to the consideration of the Government. They have also a grievance in the rigorous enforcement of the Forest rules which trench without any justification upon the rights which they have enjoyed from time immemorial.

It is a matter of much regret that the system of *begar* still prevails in these Provinces. Obnoxious everywhere, it presses with special severity upon the people of Kumaun. *Begar* is a blot upon British administration and ought to be abolished without delay. I venture to hope that when the Council next meets, I shall have the honour of congratulating the Government on having put an end to a system which can neither be defended nor justified.

REFERENCES

1. Malaviya's contribution in the Bundelkhand Alienation of Land Bill is quite appreciable. See U.P. Legislative Council, Home Deptt. F. 45.
2. *Ibid.*
3. He supported the interest of land-owners.
4. *Ibid.*
5. Board of Revenue and its functions were explained.
6. *Ibid.*
7. *Ibid.*
8. *Ibid.*
9. He explained implications of moveable property, houses, standing crops and put forward the plea for the Jhansi region.
10. *Ibid.*
11. Malaviya's remarkable speech was with regard to the financial statement in March 1907.
12. *Ibid.*
13. *Ibid.*
14. *Ibid.*
15. *Ibid.*
16. *Ibid.*
17. He put forward examples of England and Wales.
18. *Ibid.*
19. *Ibid.*
20. *Ibid.*
21. He also clarified some points on industry and foreign competition
2. *Ibid.*
23. Example of Japan's economy
24. *Ibid.*
25. *Ibid.*

Role in Central Legislature

Madan Mohan Malaviya was the most prominent leader of 20th century. He understood well that the social customs in Hindu society which were injurious to the community, would die hard. He opposed child marriage as it greatly effected the physique of the youths. He was against untouchability and suggested several reforms for the socio-economic upliftment of Harijans. Undoubtedly his role as a member of the legislature is unique in the annals of our freedom struggle. He was a fine orator and his powerful and comprehensive arguments in the legislature greatly influenced the British bureaucracy. He fought consistently for the basic rights of Indians which included education, adequate representation in services along with the British bureaucrats and last but not the least the demand for Swaraj. He was well-conversant with the culture and traditions of Hinduism. He had indeed comprehensive knowledge of Vedas, Upanishads, Ramayana, Mahabharat and other Hindu scriptures. He favoured the concept of charity, but opined that charity should be given to a proper person for a right cause. The development of education was dear to his heart and for the collection of funds he never hesitated to contact the 'smallest and the greatest' man on earth.

He lamented that crores of rupees were given in charity every year, but the same was not always well spent. If that money could be diverted to education, that would help both the cause of education and of religion. In his opinion, providing a man with education and 'means of livelihood,' was the greatest dharma. 'Dana' or giving of alms was a sacred act. The recipient of the alm, therefore, must be pious man, for the objective of charity is not to make the recipient idle or a parasite. Giving of alms, thus, is a social phenomenon, and it must lead to some social good. To those who deposited 'mantras' or 'Ramnaam' in a religious bank, his advice was to offer them in 'diksha'. To Malaviya, the dearest thing on earth was religion and that religion was the Sanatan Dharma. The essence of the religion according to the Mahabharata is that "one ought not to do that unto another which he would not like another to do unto him. One should do that unto another which he would wish that other to do unto him." The essence or truth as enunciated by Veda Vyas in the Mahabharata is shared by all other religions. Malaviya was proud of belonging to a

Dharma which he held to be the oldest and the holiest religion on earth. He claimed never to have departed from the path laid down by the Shastras, and sincerely wished that his people "should go back to the purest dictates of the Shastras that we lived under in the old system, which was not half so bad as it is today." Both the Shastras and the Karmakanda or rituals were dear to him. What, however, distinguished Malaviya from the orthodox was the fact that he claimed to have interpreted the Shastras in the light of both their letter as well as spirit.

The underlying spirit of Hinduism, according to Malaviya, is toleration, universal weal and respect for the founders prophets and sages of all religions. He was opposed to villication of the prophets or the avatars, just as he would not like his father, even if he had some werkness, to be vilified in his presence. Therefore, he pleaded that "though doctrines and tenets of religion might be discussed in a friendly way, no one ought to hold himself free to utter or criticise in a lighthearted way anything which would hurt the religious feelings of his fellowmen." Malaviya believed that there could be no quarrel between truly religious men belonging to different faiths, as all living beings were the creation of the same God and the "ray divine shines equally in every man..."

He had an ardent faith in god and in Divine Governance of the Universe. He opined that the sanctity of the idols in temples must be maintained. The place of worship should be respected and its destrnction was a sin. Indeed he was a practical man and preached action in all kinds of national activities. The action, according to him, should be unittitout any reward. Life he stated is duty which must be performed with sincerity.

Madan Mohan Malaviya not only preached the concept of non-violence, but he strictly professed it. He stated that non-offensive beasts should not be killed. He applied the principle of self-defence for activities like achieving independence for India. He held animal flesh to be poisonous and injurious to health and propagated against eating meat. He supposted the use of vegetables and vegetorian diet. He always gave a note of dissent to the view that no sin was attached to animal sacrifice on religious festivals. He asserted emphatically that the animal sacrifice was neither religious nor essential nor desirable. Thus his opposition to animal sacrifice, including cow sacrifice, led him to support the movement for Prevention of Animal Sacrifice.

Malaviya felt worried over the slaughter of the cow and deeply hurt him seeing a cow in the butcher's clutches. He always consisted the cow as national property. Very often he talked about the usefulness of cow as national property. Very often he talked about the usefulness of cow whom he linked with the development of

agriculture in our country.¹ It provides us bullocks for ploughing", and milk, butter and various other products which are useful for our health. He propagated the idea of keeping the dry cones in the *go shalas* and always appealed to the Hindus to keep cones in their homes. During his life time he conversed with several Muslims and convinced them about the utility of cow and asked them to abstain from its slaughter. He always opined that the animal that gives us milk and butter should not be given to butchers because it had ceased to give milk in the same way as we do not discard our old mothers.

He propagated for the upliftment of the untouchables.² He opined that their socio-economic status should be raised by affording them an honourable position in our society. According to him our Shastras were not the monopoly of one class, even Sudras should not be denied to study them. They should be permitted to draw water from our wells. They should be allowed to enter the temples. Nobody, according to him, was untouchable by birth, our society was responsible for such a social condition for them. He emphasised the role of women in our society. He always opined that women should receive education like men so that they could play a better role in the day-to-day functioning of their domestic life. He advised them to occupy themselves, specially spinning; maintain good health in order to participate in activities having deep linkage with Indian nationalism.

In early July an "untouchability conference" was held in Bangalore at which representatives from South India were present, a part of the country where the problem is most acute. Among the spectacular events was the visit paid to and the speech delivered by Pandit Madan Mohan Malaviya. It was a courageous speech, and one, filled with hope. The Pandit declared that a retrospect of the last twenty years would reveal the very changed attitude which had come over the country and the Hindu community regarding the Untouchables. The reasons were threefold, In his opinion "our missionary friends deserve all the credit in this connection for having laboured in this cause in many places in the country." In the second place, the life and teaching of Mahatma Gandhi had a remarkable influence on the removal of untouchability. In the third place, a revolutionary change had taken place "in the mental attitude of the thoughtful classes throughout India." Pandit Madan Mohan is perfectly right in his estimate of the influences at work, but in our opinion he overlooked in his speech the influence of the Hindu social reformer himself whose activities, though less spectacular than Mahatma Gandhi and inferior in amplitude of Christian Missions, achieved a success in the intellectual and moral plane which must never be forgotten. We would refer to the work of Ranade, and in our own time to Mr. K. Natarajan, who for over thirty years has carried aloft the banner of freedom of the depressed classes.

SEDITIONOUS MEETINGS ACT

At a meeting of the Imperial Legislative Council, held on Saturday, the 6th August, 1910, the Hon. Mr. Jenkins introduced the Bill to provide for the continuance of the Seditious meetings Act, 1907. The Hon. Pandit opposed the motion and spoke as follows :

My Lord, the measure before the Council is of exceptional importance and perhaps it is due both to the Government and to the public, a portion of whom at least I claim to represent, to state the reasons why I think it my duty to oppose the motion that the Act for the Prevention of Seditious Meetings should be continued for another five months. My Lord, after the many able and elaborate speeches that have been made against the motion, it will not be necessary for me to take up much of the time of the Council. But I must complain at the outset of the action of the Hon'ble Member who has moved for leave to introduce the Bill in having thrown the burden of making out a case for not continuing this Act upon the non-official Members. My Lord, I understand that it has been the rule in respect of all legislative business which comes before the government of India, that the Hon'ble Member who introduces Bill should state clearly the reasons upon which his motion is based, and should set out before the Council the facts and circumstances which would enable Members, non-official as well as official, to decide whether to vote in favour of the Bill or against it. The Hon'ble Member has told us very briefly that all that the Bill aimed at was the continuance of the Seditious Meetings Act for only five months. He has also told us that the Local Governments have unanimously demanded it. So far as he was concerned, he was no doubt free, as he was willing to surrender his judgment to the judgments of the Local Governments, particularly of one which is presided over by a gentlemen of the experience and large views of Sir Edward Baker. But he seemed to forget that there were other Members in the Council who were not in the confidence of these Local Governments as he evidently happens to be, who did not know what the circumstances were which had led Sir Edward Baker and other Local Governors to ask for a continuance of this Act. My Lord, there is certain responsibility resting upon the non-official Members. It is also given to us to think, and we have to satisfy the still small voice that even we feel within us that there is some justification for supporting a motion to saddle the Statute-book of the country with a measure which was described by Sir Harvey Adamson, as many speakers have reminded the Council, as a repressive measure of considerable potency. This exceptional places, has now been on the Statute-book for nearly three years. The Government of India when they passed it almost offered apologies for introducing it, and for asking that it should be continued for three

years—such was the state of the country at the time. 'Sir Harvey Adamson repeatedly said that the measure was intended for exceptional times and exceptional circumstances only, and he took the greatest care to point out that in order that the measure might lack the element of permanency, the life of every notification which was to be issued by a Local Government to declare an area to be a proclaimed area was confined to a period of six months.

My Lord, the assurances given by Sir Harvey Adamson and the remarks which fell from Your Excellency in concluding the debate, had led the people to believe that unless some very special circumstances which would justify the continuance of that measure were shown to exist, it would be dead on the 31st of October, 1910. It was with much surprise and regret therefore that we learnt that, while the Government was at Simla, a Bill would be introduced to give a new life to this repressive measure even before it is dead. I submit my Lord, that in the circumstances of the case it lay heavily upon the Hon'ble the Home Member to place before the Council facts and circumstances which would enable the non-official Members to decide whether they should give their support to the measure or oppose it. I may be permitted to say, and I am sure Your Excellency will accept the statement, that it is not a pleasure to non-official Members to oppose Government measures. We feel the very reverse of pleasure in opposing them. But we feel, my Lord, that we are here to express opinions which we can justify first to ourselves and then to the public. We feel that we are to be judged not by this Council only but also by the much larger and far more important body of our countrymen who are keenly watching the conduct of non-official Members as well as that of Members of the Government in dealing with any legislation which affects them.³

Now, my Lord, we might all of us agree in the view that when the circumstances which gave rise to this legislation ceased to exist, this measure should have been allowed to die a natural death. Let us see therefore what those circumstances were and whether they exist in the country to-day. When the Regulation of Meetings Ordinance of 1907, which was a prototype of the Act which is now under consideration, was issued, it was stated in the Statement of Objects and Reasons which accompanied it that the 'acute disorder' which prevailed in the Punjab and in parts of Eastern Bengal had led to the passing of the Ordinance. My Lord, that acute disorder had almost died before that Ordinance was issued; it certainly did not exist when in November, 1907, the Government decided to pass the present Act. But even assuming that there were circumstances in 1907 which justified the passing of the Act, or at any rate satisfied the members of the Government that it was necessary in the interests of good government, in the interests of he

preservation of the public peace that a strong measure like that should be continued or be placed on the Statute-book, the Hon'ble Member who has put forward the motion under consideration before the Council was bound to satisfy this Council that these circumstances or conditions similar to them exist to-day when he seeks to give a new life to the measure. When piloting the measure thought the Council the Hon'ble Sir Harvey Adamson said that he had no desire to disguise the fact that the measure was one of considerable potency. He justified it however on the ground that in his opinion in the then condition of India such a measure was necessary. My Lord, what are the conditions which exist now? Do they make even the faintest approach to the conditions which existed in 1907? Sir Harvey Adamson complained at that time that the scheme of constitutional reforms which the Government had formulated had not brought about such a change in the public mind as had been expected, and that the Government felt that they had to deal with a section of irreconcilables. But we know that the scheme of reforms originally put forward has, after undergoing many important changes, been carried out since; and notwithstanding the fact that there have been some serious complaints about the regulations framed under the new Councils Act, no one can deny that the reforms as a whole have been received with a feeling of gratitude and have greatly improved the political situation. I believe that there has been a consensus of official and non-official opinion that the reforms carried out have brought about a marked change for the better in the attitude of the general public towards the Government. Is that change to count for nothing in determining whether a repressive measure should be allowed to die its natural death or should be kept alive by fresh legislation?

We have been told that the Local Governments have asked for the Act. With due respect to the Local Governments we cannot blindly substitute the judgments of Local Governments for our own. My Lord, it is difficult for us to understand why while all that is open and visible to the public eye indicates an absence of those conditions in the country which should justify the reenacting of a repressive measure like the one before us while it is undeniable that there is a world of difference between the conditions which obtain in some Provinces and those which prevail in others, all the Local Governments are unanimous in recommending that such a measure should be brought on the Statute-book for the whole of the vast Indian Empire.⁴

My Lord, the political situation in India was carefully summed up not long ago in the letter which the Government of India addressed on the 14th March last to the Government of Bengal and to the other Local Governments. In that letter Your Lordship in Council was pleased to recognise that nowhere in India was any

considerable proportion of the population imbued with the spirit of disaffection towards the British rule; that there was a party, small in numbers, though of considerable influence, in the opinion of the Government, which was opposed to the continuance of British rule; that among this small party also there was a class which was opposed to resort to violence; that the other class which advocated and practised the methods of terrorism consisted 'for the most part of youths who are still at school or College, and of young men who have not long passed that period of their life.' The letter went on to say that these active revolutionaries were most prominent in parts of Bengal and Eastern Bengal and Bombay; that their movement had spread to the Central Provinces and Berar and to the Punjab; but that it had made little headway in Madras and in the United Provinces; and that the Government of India had received no information of its existence in Burma and in the North-West Frontier Province. That being so, I appeal to Your Lordship, I appeal to every Member of the Council, to judge what change has been brought about since March last which should justify the saddling of my Province, the United Provinces, or of Madras, or of Burma or the North-West Frontier Province with this repressive measure. My Lord, one event has no doubt happened, and that a very sad one too, namely, the death of our beloved King-Emperor, But the demonstrations of grief which that event called forth should have satisfied even the most sceptical mind that the heart of the people is sound; that they mourned the loss of the King-Emperor with as much sincerity as their fellow-subjects in any other parts of the Empire; that they would not have done so if they did not appreciate the British connection and did not want the British rule to continue. What else, my Lord, could be the meaning of the great demonstration that took place in Calcutta, where a hundred thousand Hindus walked a long distance in a burning sun, bare-headed and here-footed, in order to give united and public expression to their grief? My Lord, there have been manifestations of similar grief all over the country and there are movements going on at present in all Provinces to raise suitable memorials to the revered memory of Edward the Peacemaker. With these evidences of a strengthening of the feeling of loyal allegiance so the Crown that has long existed in the minds of the people, is this the time for the Governmental of India and for the Local Governments to ask for a continuance of a repressive measure, the life of which is to expire by efflux of time in October next? One should have thought, my Lord, that the Government would at such a time have welcomed the removal by natural death of a measure which it has seldom, if ever, found it necessary to use, but which must always be a source of irritation and complaint to the great body of the loyal and law-abiding population of the country, particularly as there is nothing special in the existing circumstances which would justify an opposite course.

It may be said, my Lord, that the Government cannot ignore the existence of the band of terrorists and anarchists. Your Lordship was pleased, in that same letter to which I have referred, to deal also with the case of these misguided enemies of their country and of its Government. I need not repeat what several other Members have said before me, that every sensible man who has the interests of this country at heart must deeply deplore all anarchical outrages and all unconstitutional action. But it cannot be said with any reason that the prevention of public meetings of twenty persons and more will exercise any restraining influence upon evil conspiracies, on the action of those who hatch their plots in secret, and who must, by the very nature of things, always endeavour to carry out their diabolical designs without all avoidable publicity. It is important to remember in this connection that the existence of the Act in question has not evidently hampered terrorists in their action during the last three years. This Act cannot therefore be claimed to be a remedy for that disease.

Your Lordship's Government was pleased in the letter of March last not only to analyse the political situation but also to suggest some suitable remedies, if I may say so, with the eye of a statesman. The Government expressed its belief that the seditious movement is in the main due to ignorance and misapprehension of the natural consequences of British rule in India; that thought there existed in the ranks of those who were hostile to that rule a residue of implacable hatred of all alien intrusion, all the information which has been placed before the Governor-General-in-Council supports the view that the majority of the advocates of nationalism have been misled by shallow arguments and prejudiced statements.' The obvious remedy for this state of things was that the other side of the case should be put before these young men. Your Excellency therefore wisely called upon all officers of Government, and indeed all supporters of law and order, 'to do his best, each in his own sphere, to combat misrepresentation and to remove misapprehension regarding the character and results of British rule.' The officers of the Education Department were rightly asked to check the spread of seditious views among their wards by sympathetic discussion and kindly guidance; the attention of all District officers was directed to the necessity of taking leading men in each district into their confidence, and of cultivating a courteous and considerate demeanour towards all with whom they are brought in contact. The concluding portion of the letter stated:—

"The Governor-General-in-Council believes that these is every reason to expect success for a policy on the lines described in the foregoing paragraphs. There is much ignorance and misunderstanding on the subject of British rule in India,

and thence has arisen a spirit of disaffection, That spirit has not spread far, and the wrong impressions on which it rests are capable of removal by conciliatory discussion and earnest remonstrance. Many supporters of this so-called nationalist programme have taken alarm at the development of what they regarded as a permissible political movement into the fanatical outrages of the terrorist section. The moment is favourable for detaching them from the party of disaffection and for convincing all but the most extreme of the danger to the general welfare of persistent attacks upon the foundations of the established Government. The great body of the people are entirely loyal and prepared to join with the officers of Government in this mission against disaffection.'

I submit, my Lord, that that was a clear and statesmanlike pronouncement on the policy which the Government should pursue at the present time. It supplied the true remedy for the disease from which the country has in parts suffered and is unfortunately still suffering. But these methods of conciliation require that a free and public discussion of grievances and views should be encouraged rather than discouraged, cases of any serious abuse of the liberty of speech or meeting being left to be punished by the ordinary laws of the land. At any rate the policy of sympathetic guidance and conciliation which the Government of India deliberately decided upon but a few months ago will be to a large extent stultified if this fetter on the freedom of speech and action is continued, if this repressive measure is given a fresh lease of life. This being my view of the situation, I submit, with great respect, that the Government should not go on with the proposed legislation. I fully realise how vain it would be to hope that the Hon'ble Member in charge of the Bill will drop the motion. But, my Lord, I consider it my duty to say that it is very unfortunate that he should not be able to do so. There is nothing more important at this juncture for the good government of this country than that there should be a feeling abroad among the people that the Government are willing more than ever to listen with sympathy to the representations of Indians, to give due consideration to the wishes and opinions of representative Indians, who are quite as much anxious to uphold law and order, as being the *sine qua non* of peaceful progress, as any official member can be. Your Lordship has seen that there is a large body of unofficial opinion almost begging that the Government should not proceed with this measure. In these circumstances, unless the Hon'ble Member can lay before the Council the opinions of the Local Governments that he has received and relied on, unless he can disclose facts and circumstances which show that there is a danger that, if meetings are allowed to be held freely as they used to be held before this Act was passed, this circumstance will tend to disturb the public tranquillity or lead

to some other crime which cannot be dealt with by the existing enactments, I submit, it cannot but be deplored that the Bill should be proceeded with and passed.⁵

I do not wish to dwell at length upon the existence of other provisions in the law which place ample power in the hands of the Government in suppress meetings which are likely to promote sedition or to lead to a disturbance of the public tranquillity. Some speakers who have spoken before me, including the Hon'ble Mr. Madge, have said that the existing law is not sufficient. My Lord, it is not necessary for me to enter into a discussion with these gentlemen as to whether that is so or otherwise. My lawyer friends have presented the correct view of the situation. Besides, an ounce of fact is better than a ton of argument. The Council has had a few such facts placed before it, facts which go to show that meetings of 50,000 persons and more in Calcutta, and other large meetings in Nagpur and Eastern Bengal, have been dispersed quietly under section 144 of the Criminal Procedure Code. It may be said that if it is a fact that both in that section and in the section relating to unlawful assemblies there is ample power given to the Executive to disperse any assembly which it considers to be objectionable, then why should we object to a measure of this character, which merely gives the same power to Government which it already possesses under other Acts? The reason for this is this. We submit that while the powers which the Government possesses under the other Acts are amply sufficient to deal with every individual case or cases of the abuse of the right of meeting that may arise, the conferring of this general power of proclaiming an area, by which the voice of the whole population there may be silenced, is most dangerous and unjust. My Lord, what is it that may happen under such an Act? As some of my friends have pointed out, some mischievous miscreant or some misguided young man talks a little nonsense in a place, the police send up long reports of danger to the state or to the public peace, and the whole district is proclaimed. I do not say that the Lieutenant Governors and Governors of Provinces do not fully weigh the situation; but they are after all human, and therefore liable to err. They have to act upon the reports of the Police or of the Criminal Investigation Department. And we have had sufficient instances of the abuse of the powers given under the Act.

We have seen how far the faults, more imaginary than real, of a few men or a small coterie of men, the population of a whole district, the great bulk of whom must, as the letter quotes before has told us, be regarded as undoubtedly loyal to the Government, have been deprived of the right, which they enjoy under the British Government, of free public meeting and of giving free expression to their

opinions and their sentiments, to their grievances and desires in relation to public questions which affect or interest them. It cannot but be regarded as a serious public grievance that, for the misconduct of a few individuals, the whole community in a locality should be prevented from freely exercising a privilege which they have never abused.

My Lord, not only has no necessity been shown for the measure before us, but there is also the fear, as my friend the Hon'ble Mr. Gokhale has pointed out, that a repressive measure may itself, by being abused in its working, lead to promoting the evil which it was intended to cure. The Seditious Meetings Act and the Press Act have both already given illustrations of the truth of the old adage that the sight of means to do ill-deeds often makes ill-deeds done. Look for instances at the action of the authorities in Eastern Bengal in suppressing three District Conferences and the meeting which sought to help the depressed classes. I venture to doubt if the said Conferences or the said meeting would have been stopped if the Seditious Meetings Act had not been in existence. Look again at the action taken in several places under the Press Act in contravention of the pledge given by the Government when it was going through the Council, and think of the irritation which the abuse of its provisions must cause in the public mind. So long as the Government will keep these two measures on the Statute-book, I regret to say, but I feel it my duty to say it, so long will all efforts to conciliate public opinion generally be beset with unnecessary difficulties, will continue to be unnecessarily difficult of accomplishment.

I do not wish to detain the Council any longer But I cannot help referring in this connection to the action taken under the Press Act with regard to Mr. Mackarness' pamphlet. I know that several Local Governments have thought it wise to suppress that pamphlet. I have no doubt that they believe that they have acted rightly in the matter. But with due deference to these Governments, I venture to think that if the new Press Act had not given them the indefinitely wide powers which it has given them, not one of them would have ever thought of suppressing the pamphlet. None of them perhaps would even now think of prosecuting Mr. Muckarness for it. The pamphlet might not have done full justice to the efforts of the Government to improve the Police. But what did it aim at except a suppression of the evil practice which it exposed? It has been said, my Lord, that the Government of India have been denouncing the practice of torturing accused persons with a view to extort confessions from them at least ever since they enacted the Indian Penal Code, which has laid down that any person who would so put people to torture would be liable to be punished with imprisonment which may extend to seven years. But the

existence of such a provision has not evidently proved to be a sufficient deterrent, and in view of the facts brought to light in some recent cases, it was clearly necessary in the public interests to draw public attention to the evil with a view to have special measures taken to effectually discourage it.

His Excellency the President:—I am afraid that I must interrupt the Hon'ble Member. Mr. Mackarness pamphlet has got nothing whatever to do with the present discussion.

The Hon'ble Pandit Madan Mohan Malaviya:—I bow to your Lordship's ruling. I wished to point out how easily a repressive measure may be abused, and may give rise to great irritation, when the object of the Government is that cause for irritation should not be given.

I will now conclude. I think I have said enough to show that no justification has been made for proposing an extension of the life of the Seditious Meetings Act; that the power which the Government possess under

THE INDIAN CRIMINAL LAW AMENDMENT (REPEALING) BILL

Pandit Madan Mohan Malaviya: Sir, I rise to offer my support to the motion that the Criminal Law Amendment Act of 1908 be repealed. The Honourable the Home Member has told us all the reasons he could urge against the motion. He has told us that the welfare of the people is the supreme law. I do not think anybody will take exception to that. He has also told us that this particular law was introduced in 1908 because of the conditions which then existed in Bengal. We are not concerned with those conditions now. He has reminded us that the last Assembly turned down a proposal which sought to recommend the repeal of this very Act in 1923, and he said that that meant that the Assembly affirmed the necessity of keeping this law alive at the time they did so. Lastly the main argument which he advanced for keeping up this law, for continuing this law on the Statute-book was the incidents which took place in Bengal during the last 12 months. I am not aware that this Criminal Law Amendment Act. Part II, has been used against any associations in Bengal during the last 12 months. I asked my Honourable friend for information on this point and the Honourable the Home Member has not given any information that it has been so used. It comes to this then, that there have been a certain number of dacoities in Bengal during the last 12 months. Does that give any justification for continuing this particular law on the Statute-book?⁶ Have those dacoities been dealt with under the ordinary law? My Honourable friend has not told us that the ordinary law was not applied in these cases. He has not told us that this particular law was put into use in order to prevent the formation of dangerous associations or for the purposes of breaking them. I take it that dacoities have taken

place in Bengal not only during the last 12 months but they have taken place on other occasions also. Occasionally dacoities do take place in different parts of the country but the occurrence of these dacoities does not afford my justification for continuing this law on the Statute-book. The position then is this, that except in Bengal except for the incidents relating to Bengal which the Honourable the Home Member has mentioned he has not told us of any disturbed condition the motion of Dr. Gour. On the contrary he remembers and the ... remembers, that the Act in question was passed in 1908 under the special conditions which then prevailed. That was the period which on against the partition of Bengal. There was a strong agitation going on against the partition of Bengal with the desire of having the partition undone. The Act was passed in 1908. His Majesty the King-Emperor honoured India with a visit in 1911 and he was pleased to undo the partition. The two Bengals were reunited. Anarchieal and revolutionary crime very much disappeared, if it did not entirely disappear in Bengal. The years that followed did not witness any such organised and dangerous associations as the Act of 1903 was contemplated to deal with. We had peaceful times during the many years of the war. It is a remarkable fact that during the many years of the war. It is a remarkable fact that during the many years of the war there was very little crime, anarchical or revolutionary, in this country. That was a circumstance which was noted by Government and by non-official public men. Three years after the close of the war, when His Royal Highness the Prince of Wales visited India, in November 1921, the Government of Bengal, the Government of United Provinces, the Government of Bihar and the Government of the Punjab extended Part II of the Act of 1908 to their respective provinces. We know the unfortunate occurrence that took place in Bombay on the arrival of His Royal Highness the Prince of Wales. These occurrences did not take place in Bengal, but while the Bombay Government kept its head cool even after what had occurred after the arrival of the Prince, the Bengal Government went into a panic and extended the Act in question to Bengal. It declared Congress Volunteers an unlawful association. As a protest Mr. C. R. Das and about a thousand other gentlemen immediately declared themselves as Congress Volunteers.....⁷

RECOMMENDATIONS OF THE LEE COMMISSION

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): The debate has been long and has been unique in the history of this Assembly, and at this late hour I shall endeavour to put the few points that I have to as briefly as I can. There are certain points upon which I think opinion should be unanimous. After the appeal which Mr. Hudson has made, I shall ask him

and other members of the Civil Services and my other European friends to try to realise the position of us, Indians. I will ask him and other members of the European Services and non-official Europeans to try to get into our skin and to realise the position we are in. I will ask them not to be led away by the impression that we have come determined to vote against the Resolution of the Honourable the Home Member and to carry the amendment of Pandit Motilal Neharu irrespective of any consideration of what is right and just. Let me assure them that we have given the matter the fullest consideration and let me assure them that we have listened with attention and respect to every argument that has been put before the Assembly. Nothing would give us greater pleasure and sincerer satisfaction than that we should agree with our European fellow subjects in the Assembly.⁸

Pandit Madan Mohan Malaviya: Now Sir, my Honourable friends, my European friends, know that for decades past we Indians have been complaining that the salaries given to the Indian Civil servants and to the higher European Services in the country were extravagantly high. At the end of nearly fifty years the Commission which was appointed in 1912 proposed increases in that salary. The Commission reported in 1914 but the report was dealt with and final orders were passed on it in 1919-20. The salaries were increased, increased we were told at the time to the satisfaction of all the members or most of the members of the Services. My Honourable friend, the Deputy President, who is now presiding over our deliberations, pointed out yesterday that taking into consideration, the six years that had elapsed, the Secretary of State and the Government of India made additions to the proposals of the Islington Commission in order that the salaries should be proportionately increased in view of the rise in prices which had taken place between 1914 and 1920. He told us that nearly a crore and 15 lakhs were added to the total of the increasers given. Now Sir, he also told us that since 1920 there has been a decline in the prices. That point stands uncontroverted.

The Honourable Sir Basil Blackett : I rise to a point of explanation, Sir. I pointed out to you, Sir—the Honourable Pandit was perhaps not listening—that the mistake was made by you of taking the year 1920. The year 1919 was the year in which the increased or revised salaries were given and there has been a considerable rise in prices since then.

These were the two grounds mentioned. It was admitted that the salaries had been raised sufficiently high, but it was said that they were such that because of the fall of the rupee one had to practice strict economy in order to get on satisfactorily. Now it is in this position that demands have been put forward by the Services for further increases to the salaries in the shape of various allowances and passages,

etc. I ask, Sir, Members of this House, including my friends on the Government Bench, whether in such a state of things the only consideration to be put before the Assembly and the Government in this country and in England is the need, the greater need, of the Civil Services, or is the condition of the people also a factor to be taken into consideration? I ask the House, Sir, to bear in mind that during the last three years, after the close of the war, additional taxation to the extent of 41 crores has been put upon the people of this country. I ask the House to bear in mind that this taxation has pressed very hard upon the people. It has affected the general prosperity of trade and industry in this country. Business has been slack; there is a long and loud complaint throughout the country that the condition of the people has become very much worse than what it was during the days of the war. In such a state of things, Sir, when the Government have found it necessary to add 41 crores of additional taxation to what existed three years ago, is it conceivable that in any other country, in any Parliament which represents the people and is solicitous primarily of the welfare of the people, and after it and subject to it of the welfare of the Services, is it conceivable that proposals for further increasing salaries or giving allowances to the extent to which it is now proposed, would be put forward by any responsible Government? I mean no offence and I hope no offence will be taken, but I ask my Honourable friends on the Government Benches and I ask my European friends to consider the two things together. Undoubtedly the Services may find it hard to meet their requirements without strict economy, some of the members of the Services may be labouring under real hardships; when so many European friends and Members of the Government reiterate that members of the Services are suffering hardships, it is no pleasure to us to contradict their statement. But, Sir, the fall of the rupee is not a new event in the history of British Indian administration. For the last seventy years and more members of the Civil Service as well as the people of India have had painful knowledge of the fact that a fall in the value of the rupee inflicts a great loss upon India, both upon the people, sometimes upon the Services. The Services have on the whole been remunerated for the losses inflicted upon them for a long time past by the payment of exchange compensation allowance. When its abolition was decided upon, they were given substantial additions to their salaries. Now that being the position, I ask the House to consider whether, in view of the increases given in 1919-20, in view of the general poverty of the people of this country, in view of the initial high salaries paid to the Indian Civil Service, and in view of the fact that 41 crores of additional taxation has recently been put upon the people, and that there is no prospect of reducing it for the present: in view also of the fact that the provincial Governments are being starved in all Departments which most vitally affect the interests of the people, I

ask, Sir, is it right of my European friends, my friends, my brethren of the Indian Civil Service, to press their claims for increases to salaries and allowances in the manner in which it is being done? And if those claims are real and if it is so very necessary to press them is it wrong of us who come here by the suffrages of the people to ask that evidence should be placed before us to support them. There is such a thing as a small voice within us human beings who are in this Assembly, and that voice has to be satisfied particularly when we are dealing with the interests of other people.

I am concerned with the living present. It is not for me to peep into the future and to shape my conduct at this moment by a consideration of what judgment may be passed by my fellow-subjects in England or in this country upon our action. We have a very clear issue before us. Have we got any evidence before this House to support the view that in spite of the additions of salaries given in 1919-1920, there is justification for the further increases which are asked for? Such evidence has not been placed before us. One gentleman said, and I may join with Dr. Datta in congratulating him on his fine speech, though I do not agree with him in many points,—Colonel Crawford told us that Pandit Motilal Nehru would not place his domestic affairs before any Committee and he should not expect European Members of the Service to place evidence relating to their domestic affairs before this House. I am sure if Pandit Motilal Nehru wanted the House to increase the emoluments which he might be getting as the Legal Adviser of the Government of India or in any other capacity, on grounds similar to those which have been urged in the case under consideration, he would certainly have to submit facts to support his case to the Committee which might be appointed to go into the matter. No one would like to peep into....⁹

Pandit Motilal Nehru : I would double my fees instead of submitting my accounts.

Pandit Madan Mohan Malaviya : We have no wish to peep into the private affairs of any of our fellow-subjects. But when they ask for increases in salaries, or allowances on the grounds of difficulties in making the two ends meet, when they present a budget in which they show the number of servants they employ and the salaries which they have to give to these servants, when they show what amount they have to spend over the education of their children and so on, they must submit evidence in support of their case to those who are required to vote the increases asked for. Of course it is open to the Government as it is constituted to accept the recommendations of the Lee Commission. The Secretary of State has got powers under which he can do almost anything he likes in relation to the finances of India.

It is very kind courtesy that he has asked us to express an opinion on the recommendations of the Commission. He can overrule us. But if he will overrule us, he will be acting upon his own responsibility. He may be satisfied upon the evidence that he has looked into or he may look into that the claims of the Services are just and reasonable, and that, even in the present condition of the people of India the recommendations of the Commission should be accepted. But we are not given the opportunity to be so satisfied. We are not put in a position to know the facts and to base our judgment upon them. In this situation what do we urge? What we urge is not that we should turn a deaf ear to all representations regarding increases in salaries but that we should act as any sensible private individual would. Suppose there is a private individual whose income is limited, even as a Member of the Government of India, to Rs. 6,666 a month. He finds that he has got several servants in his employ and that he cannot, owing to his limited means, keep all these servants satisfied. What will he decide? He will decide that instead of keeping all the servants satisfied. What will he decide? He will decide that instead of keeping all the servants dissatisfied he should give notice to two of for the consideration of the Government. What we say is this. If you are so thoroughly satisfied that the Services need some further relief, then act fairly by the Services and by the people, and earn the gratitude of both. Agree to stop further recruitment in England in the future. What is the good of going on adding to the number of discontented men in the Services? What is the good of adding to the volume of discontent that must prevail in this country if you give these increases over the heads of the people in spite of the opposition of the representatives of the people? Clearly, you and we ought to agree that justice should be done to the existing members of the Services. I think from all that has been said every Member of this House is satisfied that we are prepared to consider any legitimate grievances which any member of the Services may have. These members are our fellow-subjects and our brethren. I do not wish to speak of them as servants, though we all are servants of the public. I do not wish that there should be the smallest feeling in the mind of any member of the Civil Service that it is a pleasure to us to criticise them or to oppose their claims. We value the work, that they have done. We appreciate it. We honour them for their work, though we regret also there is another side of the picture to which we have to draw their attention. But we agree that if they have a just grievance, that grievance should be considered in the fairest possible manner.

We do not want to create a further super, class in the ruling class which has existed so long in this country. We want that members of the Indian Civil Service should come into the service by virtue of their merit and not as Europeans or

Indians. That is another reason why we object to these proposals of the Commission.

This was the state of things in England in 1849. On the recommendation of Sir Charles Trevelyan and Sir Stafford Northcote the Civil Service Commission was organised, and it is only since then that the English people have had the benefit of begin served by an excellent Civil Service. The Civil Service of India was constituted a few years later; and we know that unless a Civil Service Commission like that is constituted, and the Service properly organised and controlled, we cannot expect the Service to be honest, efficient, and impartial. We know that in the days of Clive the servants of the Company were not of the type of which Englishmen could be proud, and we know that their emoluments were fixed at high figures in order to fortify them against temptation and to enable them to act with a sense of decorum and to build up honourable traditions of the Service. The present Service is the result of sixty years of regulation. We honour it for its incorruptibility. As the Honourable Sir Charles Innes put it, we want that the Services in India should be as honest, as efficient and as incorruptible as the present Civil Service is, if not even better. (*A Voice*: "But are they incorruptible?") There may be exceptions, but exceptions should not be noticed, when the bulk of the Service is, undoubtedly, honest, efficient and incorruptible. We desire, Sir, to develop such a Service and we feel that if we stop further recruitment in England we shall be able to build up such a Service. If we do not do so, we are also exposed to a new danger. The recommendations of the Lee Commission distinctly provide that if certain subjects, at present reserved, are transferred in future to Ministers, a member of the Civil Service who is serving in the reserved field may retire on a proportionate pension. Now, Sir, this possibility has come into existence in the past;—suppose Parliament should see the wisdom and justice of introducing provincial autonomy within the next twelve months or two years in this country—just think how many retirements may possibly take place. And if at the same time there is responsibility introduced into the Central Government, as we, Indians, earnestly, desire it should be introduced and as we hope it will be introduced, then imagine how many retirements there might be. And if many members of the Civil Service should in those circumstances suddenly retire from the Service shall we not be left in the lurch to find men to take their places? It will not be at our initiative that they will retire, but suppose they are allowed the privilege of retiring in those conditions and suppose they do retire, we shall then certainly be left in the lurch. Therefore let us look facts straight in the face. The facts are that the introduction of responsible government, even to the extent to which it has been carried out in India, has altered the aspect of the Services. There

are Englishmen who are willing to reconcile themselves to the new state of things. We honour them; we are grateful to them. There are other Englishmen who do not find it compatible with their temperaments or their ideas to continue to work under the new conditions. We do not quarrel with them. They are entitled to hold those opinions. But if they want to retire, we do not want to be exposed to the situation that after we have paid for their services all these years, they should leave us when the country may be most in need of their services. For this reason also is our proposal for stopping recruitment in England put before the Government. I beg the Government to consider it seriously. Let them not be under any misapprehension that by stopping recruitment in England there will be a disaster brought on this country. My Honourable friend, Mr. Wilson asked that there should be a stable Government. Certainly there will be a stable Government. The Honourable Sir Charles Innes said that the one thing which he and his friends wanted really to hand over to India was a strong, efficient, incorruptible Service when the time came to hand over the power to Indians. At least that is how I understood him. Now, Sir, we are at one with these Honourable Members. We also want a stable Government. Will these friends allow me to say without meaning any disrespect, that our anxiety for a stable Government certainly not less than that of either my esteemed friend, Mr. Willson or of the Honourable Sir Charles Innes. We have a deeper stake, if I may say so, in the Country, and we are not altogether devoid of commonsense that we should like to disturb a stable Government without having the power to establish stability and carry it on. Let there also be no apprehension that any vested interests will suffer. My friend, Mr. Wilson, spoke of British vested interests. I know them, we have no quarrel with them; I assure my friend that no vested interest will suffer if my friends will also be just to us and let us have an opportunity of promoting our own interests at the same time. We know that the Indian Civil Service has done a good deal; I agree with my other friends who have spoken before me about the highly meritorious work done by that Service. I acknowledge with gratitude their work in the field of education—though we wanted more and wider education; I acknowledge the general high standard of justice which they have established; I acknowledge the many other institutions of a beneficial character which they have brought into existence. I acknowledge with gratitude what has been done in the Punjab in the field of irrigation. But at the same time let my friends not misunderstand us if we also point out to them that we have laboured under certain serious disadvantages because of the preponderance of our English fellow-subjects in the Civil Service. While we feel grateful to them for what they have done, we feel that a great deal more would have been done if Indians had been associated in a much larger measure in the Services.

For Forty years we have pleaded, implored the Government to introduce universal primary education. The Government have not listened to our request. In January 1912 when His Majesty the King-Emperor was in India he expressed his desire that there should be a net-work of schools and colleges spread over the whole of the country, and he said that it was by education alone that the condition of his subjects could be lifted. A few months later in the same year, my dear departed brother, Gopal Krishna Gokhale, brought forward a Bill of a permissive character to allow compulsory primary education to be introduced in certain selected areas. Unfortunately the members of the Civil Service along with others opposed it, and the Bill was not passed. Years have gone by; crores upon crores of rupees have been found for the military requirements of the country; crores of rupees have been found for everything which the Government decided to do; but education has not yet been brought home to the people to one-fourth, or one-fifth or even one-sixth of the extent to which it ought to be done. I submit there should be a little searching of heart among my friends of the Indian Civil Service to see if they are not responsible for the present deplorable state of things, when they speak of communal differences. I submit, Sir, that, if the right kind of education had been provided, even my Honourable friend, Mr. Abul Kasem, who have looked at the question before us in a different spirit and would have spoken in a different spirit. It is a matter of severe distress of mind to us Indians—I cannot believe that it can be a matter of satisfaction to any sober-minded member of the Indian Civil Service,—that after so many decades of the existence of such a fine service in this country, an Indian of the education of my friend, Mr. Abul Kasem, should still not be able to take the correct view in regard to national questions.

I recognise that some schools have been opened in every province for the depressed classes. I recognise that some encouragement has been given to them. I express gratitude for that which has been done. But I say, Sir, with great confidence and deliberation and the problem of the depressed classes would be solved if Government would set apart a few crores of rupees every year in order to promote education among them. A member of the depressed class who has read up to the Entrance examination comes and sits with the sons of the most orthodox Hindu in the Hindu University of Benares and in Hindu assemblies. The question of untouchability is a question to a large extent of education and economic condition, and I say with great regret that my friends of the Civil Service have not done for the depressed class all that it was possible for them to do. We want an opportunity to do so. The Assembly is aware, Sir, that at this moment a very strong effort is being made in all parts of the country, under the inspiration of my esteemed

brother, Mahatma Gandhi, to lift up the depressed classes. A great deal has been done and I expect that in twelve months or so we shall have solved the problem of the depressed classes by universal education for all people in India that will improve the depressed classes also. And I suggest conscription, or military training, for all who wish to take it. I guarantee, Sir that there will not be a Hindu of the orthodox type who will not sit with a member of the depressed classes as a brother and a fellow-citizen if he has been educated. I submit that at least the responsibility for these shortcomings which exist at this present moment in the administration of this country should not be thrown upon our shoulders only, that it should be recognised that we have not had the opportunity or the power to remove them. We have tried to do so.¹⁰ We have passed Resolutions year after year and we have put them before the Government. Government have not done their part. Now we want that we should have our innings. Our friends have had a very long innings. I ask in fairness that they should play the game, that they should like true sportsmen concede that we should now be put in power and that we should be trusted and tried. If we fail, it will be open to Parliament, while our relations last as they are at present, to withdraw the powers that have been conceded. No one has suggested that India should become separated from We are asking for responsible government under the Crown. We want Dominion Status and not the status of a separate Commonwealth, or a separate State. We do not want that any single member of the Indian Civil Service at present working in the Service should retire. We do not contemplate that there should be no Englishmen left in the Services as soon as the recruitment is stopped. If the recruitment is stopped all the present members of the Services will continue in office and we are sincere when we say that we should take in Europeans whose services we may require in future on shorttime contracts. For a long time, for nearly 150 years, the Englishman and the Indian have lived together in this country. We are not anxious to separate from the Englishmen in this country and part company with them; but we are anxious that Englishmen should treat us Indians as equal fellow-subjects, and let me assure them that if they will do so there will be no occasion for them to complain. This is the position.¹¹

GRANT OF FULL SELF-GOVERNING DOMINION STATUS TO INDIA

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I rise to offer my cordial support to the amendment moved by my Honourable friend, Pandit Motilal Nehru. The Resolution which has been proposed by my friend, Diwan Bahadur Rangachariar, asks the House that it should recommend to the Governor General-in-Council to take steps to secure full Dominion status to India at an early date by a revision of the Statute of 1919. The

amendment supports that view, but desires to add that, in order that that purpose may be achieved, Government should be pleased to invite a conference, a representative conference, and the object of the conference should be to prepare the ground for a revision of the Statute. Sir, that the country has been demanding an advance towards Dominion status is a fact which is known to us all Indians, but the Honourable, the Home Member did not think it was so, at least he tried to make us believe, to make the House believe, that this demand for Dominion status was a rather later thought. He scanned the speeches of the Mover, referred to those speeches made on earlier occasions, he referred to evidence given by various gentlemen before the Joint Parliamentary Committee and to the Resolutions passed by the National Congress from year to year, and he showed that full responsible government, was not what Indians had asked for, much less the Dominion form of self-government. (*The Honourable Sir Malcolm Hailey*: "Asked for *at once*.") Asked for at once. Now, Sir, the Honourable the Home Member is mistaken. He seemed to think from the manner in which he spoke of the question and of the difficulties which surrounded it, that India was a primitive country the tutorship of England learnt about civilised administration, and that Indians therefore required to be taken from stage to stage in the art of self-government. The Honourable the Home Member referred to the Preamble of the Statute which lays down that progress towards responsible government has to be made stage by stage. I wish, Sir, at the outset to say that the question of giving a constitution to a country is a question of statesmanship and the Honourable the Home Member suffered—I say it with great respect to him—from the fact that he had all his life been associated in the day to day administration of the country and that naturally—not unnaturally—his views have been largely affected by that association as a permanent official in this country. In order that he should be able to appreciate the point of view which we urge, in order that he should be able to advise the Government, to be the mouthpiece of the Government, on an important question of constitutional advance like this, he would need to refer to the ancient civilisation which has been handed down in India and I would, in order that this memory might be refreshed draw attention to only a few facts which show what the condition of India was before the English, Government assumed the administration in this country.

That would remind the learned Home Member that India has inherited a civilisation and it is merely by a stroke of misfortune that she lost the right of governing herself when the British came into this country. The Muhammadans and the Hindus had settled down to government and administration and, if it were not for the advent of the British to-day, Hindu and Muhammadan rule would have been

going on in India. Even now, one-third of India is under Indian rule and I do not think that even the Home Member would say that that portion of India in being worse governed than British India is. In some respects it may be that British India has some advantages. In other respects Indian India has advantages which are unknown to residents of British India. (*The Honourable Sir Malcolm Hailey* "No Reforms.") No Reforms. I will come to that. I will at once answer that. The British Government who have been responsible for the training of our Indian Princes have not done their duty faithfully by them. If they had trained them in the right way, there would have been more Princes of the type of His Highness the Maharaja Gaekwar of Baroda and His Highness the Maharaja of Mysore and there would have been representative institutions in every Indian State by this time.¹²

Now, Sir, the Honourable the Home Member referred to the Preamble of the Statute of 1919, and he pointed out that what is now asked for is opposed to the Statute. Now, I submit that this is a very poor argument to advance. We know that it is opposed to the Statute. We do not like to go on under the Statute. We never accepted the Statute as it was, many of us did not. He said the Mover was among those who did accept, but the Mover did not constitute the whole of India. There was a large body of public opinion which regarded the Reforms as inadequate and unsatisfactory. The Honourable the Home Member did the honour of quoting me also among those who said that they would be content, it even a period of 20 years would be fixed for the establishment of full responsible government. Now, Sir, it is a very unfair thing to quote one sentence from a paragraph and base an argument upon it.

That was what I said and still think that from the day the British Government declare full responsible government established in India it will take us 20 years to train all the officers we want to officer the Indian Army. That means, Sir, that the cardinal step, the important step, should be taken, namely, the declaration that full responsibly government is established in India, subject to the period which must elapse in order to prepare the military service to carry on the burden which the declaration will enforce upon the country. This is not the first time that we ask for this since the Reforms were published. Ever since 1885, the Indian National Congress has been asking for the establishment of self-government in this country. When this Act was passed many of us were not satisfied. Many of us urged that there should be responsibility introduced in the Central Government in India; but it was not so introduced. Many of us id put all the arguments that we could before Mr. Montagu and Lord Chelmsford and many of our friends gave evidence before the Joint Parliamentary Committee, but the House of Commons and the British

Government, upon the advice of the Government of India, were so obstinate that we could not get them to accede to our request. I therefore pointed out in the pamphlet which I published on the publication of the Montagu-Chelmsford report, were they said that they would limit the Reforms to the Provincial Governments:

Now, Sir, there were many others who expressed the same view. We were not satisfied with the non-introduction of an element of responsibility in the Government of India. At the Congress at Amritsar in 1919 it was with great difficulty that Mahatma Gandhi and I and some others could induce our friends, Mr. Tilak, Mr. Das and Lala Lajpat Rai and others to accept the Reforms for the time being. Even then we said that, while we should accept the Reforms so far as they went we should endeavour from that day onward to try to have responsibility introduced in the Government of India. Sir, the three years that have passed have added much to our experience and wisdom. Even if no demand had been made for the establishment of full Dominion status at that time, there is abundant reason in the history of the last three years for the said Reform being introduced. And what is that history? In the first instance, law and order were reserved to the Government of India and to the Provincial Governments. How has law and order been administered? I have got heaps of files with me here which give the list of persons who were imprisoned under the Criminal Law Amendment Act, or imprisoned or prosecuted under section 144 of the Code of Criminal Procedure, and they were persons who were as Honourable as any Members sitting in this House and they were imprisoned for no other reason than that they held opinions which were not acceptable to the Government. Law and order was never mismanaged during any time of British administration as it was during the last two years. That is one experience which we have gained. I am afraid time will not permit me to read even the general summary of the reports of these prosecutions, which are a disgrace upon the British administration of this country. The facts are very well known to the Members of this House and the country also knows them full well. The experience that we have gained in respect to law and order is that it should not be left to be administered by an irresponsible Government.¹³

The second thing that we have learnt from experience is the utter unwillingness of the Government of India to act in the spirit in which the Act was passed. The Government of India have made no progress in the many direction in which progress should have been made, if they meant only to give effect to the policy which was embodied in the Statute of 1919. In England, finance has been well administered after the war Taxation has been reduced. The national debt has been reduced. Industries have been fostered. What is the picture that we have to look

at here? Forty-one crores of new taxation have been added since the Reforms were introduced. Since 1913-14 53 crores of new taxation have been starved. Sanitation has received no sustaining support. General progress has been arrested. Ministers have been appointed to portfolios, but they have been wasting their time in sorrow because they have not the wherewithal to promote the Reforms with. The country has gone back; it has not progressed. The Government were expected to show that they would adopt the policy of responsible government, but they have taken no step worth the name to Indianise the services. A certain number of persons have begun to be examined in this country. Not a single college has been created where members for the Civil Service might be trained. In regard to the military, even the needs of the situation have not been recognised. The military, even the needs of the situation have not been recognised. The military expenditure was 27 crores in the year 1913-14. In 1922-23 it stood at 64 crores and 47 lakhs. We have urged for a long time past that expenditure, both civil and military, should be reduced. We have found that these three years have gone, and they have added enormously to the burdens which the poor people of this country have to bear. This is in regard to finance. Banking has not been developed. In a country like Japan in the course of 20 years they have built up a system of banking by which their national trade has been promoted to an enormous extent. Here the banking facilities are still poor.

That was what I said and still think that from the day the British Government declare full responsible government established in India it will take us 20 years to train all the officers we want to officer the Indian Army. That means, Sir that the cardinal step, the important step, should be taken, namely, the declaration that full responsible government is established in India, subject to the period which must elapse in order to prepare the military service to carry on the burden which the declaration will enforce upon the country. This is not the first time that we ask for this since the Reforms were published. Ever since 1885 the Indian National Congress has been asking for the establishment of self-government in this country. When this Act was passed many of us were not satisfied. Many of us urged that there should be responsibility introduced in the Central Government in India; but it was not so introduced. Many of us did put all the arguments that we could before Mr. Montagu and Lord Chelmsford and many of our friends gave evidence before the Joint Parliamentary Committee, but the House of Commons and the British Government, upon the advice of the Government of India, were so obstinate that we could not get them to accede to our request.¹⁴

Pandit Madan Mohan Malaviya: Sir, I am thankful to the Honorable the Home Member for having unearthed that passage and placed it before the House.

I also have told the House that encouragement was given by one of his predecessors in office to some of my Muhammadan countrymen to wait in deputation upon the Government of India and to ask for those very concessions, the granting of which was the subject of my complaint and the granting of which by the Government of India the Home Member now reminds me of. It was the Government of India's encouragement to some Muhammadan Members that created the trouble for us. But, notwithstanding that, we were able in 1916 to settle our differences among ourselves and I guarantee—I speak with confidence—that we shall yet again settle our differences among ourselves, Hindus, Muhammadans, Christians and Parsis.

Now, Sir, the next point to which reference was made by my friend was the question of the Army. He says "After all that you have said and done, what about the Army? So long as you are not able to defend your country, how can you have full responsible government?" I myself said in the passage to which I referred that full responsible government will be established in India when we are able to take charge of the entire administration of the army, and in order that we should be able to do so, those who wield the power just now must allow us the opportunity to train ourselves for the work. How have the Government treated us in the matter? Since 1885, when the first Indian National Congress met, we have been agitating, urging, petitioning that the Government should admit Indians to the ranks of the army.

This is about the quality of the Indian soldiers, I ask every honest Englishman to put himself the question "Have Indians been trained for the defence of their country? Have the pledges given by the Parliament and the English Sovereign to India that her sons would be admitted to all offices and all ranks irrespective of any distinction of race or creed been carried out in practice?" Would it not have been possible for us to see the spectacle of the entire Indian Army officered by Indians and able to take charge of the defence of the country? You have kept us out most unfairly from the ranks of the Army. You have jealously guarded the doors of the Army against us. You have not admitted us to several branches of the Army. You have not admitted us even as officers in the Army in the ordinary ranks. And now you turn round and say, "You want responsible government; you are not prepared for it." I ask Englishmen to be fair and to be true to themselves in answering the question and to acknowledge that they have not treated us fairly. And yet what are we prepared to do? Give India full Dominion Status to-morrow and leave us to take charge of all the affairs. We shall not argue the matter with you. You fix a time and say that you want to remove all your officers and all your soldiers in the course of such time as you may think fair, and I guarantee that we shall arrange to keep up the defence of India even as it is kept up today at much less cost.¹⁵

GRIEVANCES OF SIKH COMMUNITY

Pandit Madan Mohan Malaviya: (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): Sir, I offer my cordial support to the proposal which has been put forward by Sardar Gulab Singh. He has fully explained how the situation—the present situation—has arisen in which it has become necessary for him to put forward the motion that he has placed before the House. I would like briefly to draw attention to some of the salient features of the situation. The Sikhs as a body are known to have been among the most loyal subjects of His Majesty the King-Emperor. Their loyalty has been acknowledged on numerous occasions. Their valour has been admired and respected and memorials to that valour have been erected by subscriptions raised by Europeans as well as Indians. In the last war 125,000 of them were recruited to fight the King's battles in the East, the Far East and in the fields of Europe. That such a community should have such a grievance, so many grievances, as have been brought to the notice of this Assembly by Sardar Gulab Singh has told us that shortly after the war the attitude of the Government of the Punjab altered towards the Sikh community as well as towards the rest of the Indian community. I do not want to go over the grounds which were common to the community as a whole. During the war the Government of the Punjabflattered them, to get as many recruits as they could for fighting the King's battles. As soon as the armistice was signed, the attitude of that Government changed, as also did the attitude of the Government of India. But I will not deal with all the incidents which arose out of that attitude. I will strictly confine myself to the questions which particularly related to the Sikh community and I will start from the time when the Sikhs organised themselves into a Gurdwara Prabandhak Committee to reform their Gurdwaras, their sacred places. They organised themselves as a body, they registered themselves as a society. Shortly after they had so registered themselves, one of the first things which happened was the *kirpan* affair. Everybody here understands that a *kirpan* is a sword worn by the Sikhs. It may be exactly like a full sword or it may be a small sword, but a *kirpan* means a sword and it has been worn by Sikhs during all the time that we know of. It is an emblem of their religion. While the Government of India rewarded the rest of India, or rather acknowledged that it was just to remove the grievance of the whole of India in the matter of wearing swords, while it ruled that a license would no longer be required for wearing swords, throughout the rest of India, they have not the gratitude, they had not the fairness, to declare that the people of the Punjab would also be free from that license. They continued the rule which required that a license should be obtained for a sword in the Punjab, as if that was the reward for all the bravery

which the people of the Punjab had shown during the war and in previous years. But the Sikhs did not ask for freedom to carry full swords. They wore the *kirpan*, and the Government began to quarrel with them. The Government have nowhere laid down what the measure of a *kirpan* should be; and yet the Government began to prosecute the Sikhs, because the *kirpan*, according to the ideas of some officers of the Government, was a bit longer than they thought it should be. It was a mere imagination, a mere fancy; a mere whim. Nowhere was any law laid down which defined the measure of the *kirpan*, and it is incredible but it is a fact that hundreds of respectable Sikhs, men of position, men of character as high as that of anybody in the land, were persecuted, prosecuted, put into prisons of wearing *kirpan* or manufacturing them. Among them I need mention only one Sardar Kharak Singh, a fine man, an honourable man, who was given one year's imprisonment for manufacturing *kirpans* which Sikhs were held to be free to wear. Another, a retired officer of Government, Sardar Khazan Singh, was similarly treated, punished and imprisoned. This went on for some time. The Government found out their mistake and dropped the *kirpan* affair, but not until a great amount of suffering, unjust and unjustifiable suffering, had been inflicted upon a number of very fine men of the Sikh community.¹⁶

Then came the keys affair. The Government interfered with the management of the Golden Temple. It used to appoint the manager, and it would not allow the Sikh community to exercise the control which they were entitled to exercise in the management of the Temple. The Trouble—or what shall I call it by, it was neither a struggle nor a fight, but it was a miserable mismanagement of the affair—went on for some time. And after prosecuting Sikhs, persecuting Sikhs, because they held meetings to condemn the action of the Government in appointing their own man to manage the Temple and after sending several hundreds of persons to jail over the keys affair, the Government discovered their mistake. They let off those persons whom they had imprisoned and invited the Sikhs to accept the keys. The Sikhs would not accept the keys unless the Government released the gentlemen who had been sent to jail over them. The Government held back for a time, but eventually ungracefully yielded and handed over the keys to the same gentlemen who had been imprisoned for having led the agitation over the delivery of the keys to the Sikh community.¹⁷

Then came a third trouble. After the keys affair, there was the Guru Ka Bagh business. The mahants are a well known set of persons among the Sikhs who were in charge of Gurudwaras. There are some among them who are of very good character, but not all of them are of good character, and the Sikhs object to these

men remaining in charge of Gurdwaras. Their intention was to make arrangements with the Mahants, to give them allowances, to allow them to pass their lives as handsomely as they could, and yet to free the Gurdwaras from their mismanagement and control. The Sikhs entered into an arrangement with the Mahant at Guru Ka Bagh, but an officious official at Amritsar could not bear the thought of it. He created trouble and five Sikhs were punished because they had cut some trees in the Guru Ka Bagh, which they held, belonged to the Gurdwara, 5,700 persons were arrested and imprisoned and treated most brutally, as I myself saw when I was present at the Guru Ka Bagh on two occasions. They were treated as no human being should have been treated by any man who claimed to be human, or claimed to be a gentleman. And yet that was done in the presence of several officers of Government. The thing went on 1,300 persons were disgracefully wounded and about 5,700 persons were imprisoned. Eventually a friend of the Government and of the Sikhs, who could not bear the sight of it, came to the rescue of Government. He obtained a lease of the disputed land and made it over to the Gurdwara Prabandhak Committee. We thought that that was the end of the unpleasant and unhappy trouble between the Government and the Sikhs. Unfortunately there was a riot between Hindus and Muhammadans in Amritsar. It was a small riot. The Sikhs came forward to stand between those who were fighting, between the few men that were fighting, and restored order. The Government once more appreciated the contribution of the Sikhs to the maintenance of law and order. They released the men who were in jail, and one could have imagined then, at any rate, that there would be no more of these unwise prosecutions of Sikhs. But it was not to be.

Shortly after, or some time after, the Maharaja of Nabha was deposed or made to sever his connection with his State. It was said on behalf of the Government that he had voluntarily abdicated. The Sikhs challenged this statement. The Gurdwara Prabandhak Committee is a body which the Government have recognised to be representative of a large section of Sikh religious opinion. Mr. Calvert is wrong, utterly wrong, and his remarks have been entirely misleading, when he said that the Sikhs have no leaders, and that the Government do not know with whom they should deal. The Government have in their communiques acknowledged that the Gurdwara prabandhak Committee is representative of a large section of Sikh religious opinion and they have instructed their local officers to consult the Gurdwara Prabandhak Committee in all matters which may arise relating to Gurdwaras.

This Gurdwara Prabandhak Committee, as the representative of Sikhs religious opinion, naturally felt sympathy with the Maharaja who is one of the three

important Sikh Princes in the Phulkian States. The facts which were published did not satisfy the Committee that the Maharaja had been properly dealt with. They passed a Resolution condemning the action of the Government and asking the Government to publish the facts which would justify the separation of the Maharaja from his State. They did not ask for anything more. They merely passed a Resolution on the 5th and 6th of August last in which they asked that the Government should publish such facts as would satisfy the Sikh community that the Maharaja had really voluntarily abdicated his throne. The Government did not accept the challenge. But what did the Sikhs do? Finding that the Government would not make a response, the Sikhs decided that on the 9th September they should observe a Nabha Day. There were processions and *diwans* were held all over the country to express their sympathy with the Maharaja and to express their indignation at the action of the Government. The Government did not find fault with my Muhammadan countrymen when they raised a protest against the Khilafat arrangement which had been arrived at by the Treaty of Sevres, when the Hindus stood in a body with their Muhammadan finds to support the demand regarding the Khilafat. I cannot conceive why any Government should be angry with the Sikhs because they wished to express their dissatisfaction at the arrangement which the Government had arrived at with the Maharaja. A *Diwan* was held on the 12th September in the Gurdwara at Jaito in the Nabha State. Between the 12th and the 14th of September the *diwan* sat there with the permission of the Nabha authorities. They had obtained permission to go on, but while their work was unfinished, while the reading of the holy Sikh Granth was still in progress, some of these little Dogberrys, clothed with brief authority, came on the scene and disturbed the reading of the Granth Sahib. Troops were brought in and they dragged the Granthi from inside the temple. The Sikhs naturally felt it as a great insult that a man who had begun to read the sacred book should be dragged outside; they felt it as a great insult that, while they were engaged in reading the Granth, anybody should come in and interfere with them. Naturally it gave rise to a feeling of indignation. The people in the vicinity gathered and vowed that they would go on the complete the reading of the Granth Sahib which had been so rudely and so unjustifiably disturbed. They began to go in numbers—eleven at first and later on—when the Gurdwara Prabandhak Committee wisely took over the control of this matter into its own hands lest there might be any trouble—25 persons every day vowed to not-violence;—yes, some Honourable Members may smile and laugh, but they little know what the consequences would have been if the Prabandhak Committee, under the inspiration of Mahatma Gandhi and according to the teaching of the Gurus, had not exercised an immense control over the Sikhs in the matter

of non-violence. Now, Sir, the Sikhs naturally felt aggrieved, and batches of 25 of them began to go from the 14th September or about that date, and they have continued to go in the number of 25.

This was handed over to Sir John Maynard on the 14th of January by Professor Jodh Singh, who has himself told me this fact. Now, Sir, Government were aware that the Sikh Panth did not accept the decision to have a restricted right of going to the Gurdwara and to perform their Path under the conditions laid down by the authorities there. Had not the Government of India time enough to consider the matter? How did they meet the situation? They met it with an obstinate and unjustifiable attitude; they met it by permitting the Nabha Administrator to gather forces there, to collect Lewis guns, to collect cavalry and infantry and other troops in order to resist the men seeking to go to the Gurdwara. Sir, the details which I sought to elicit yesterday have not yet been published; I am waiting for them; but I have been informed by men who were on the spot that the whole scene was most disgraceful for any civilised Government to think of. Men who were unarmed, men who were vowed to nonviolence, men had during the many months they had been going to the Gurdwara not been guilty of one single act of violence, men who had proved that they could, as was said by my friend, the last speaker, be asenemies of His Majesty, such men were there unarmed, non-violent, intending to do nothing but to enter the sacred place and read the book which they hold to be the most sacred of books in the world. These men were fired on. The first communicate that was published said that the firing began on the side of those who went there. That from all that I have heard I believe to be a lie, and I believe that when the fullest investigation is made this will be found to be a lie. There were no fire-arms with the *Jatha*; there were no fire-arms even with the crowd. No one has said that any Government man was injured. While all the troops were there and all the armed forces were there, nobody was able to see any man with any arms that might have justified the view put forward. At first it was said that none of the *Jatha* men were killed; now it has been stated that four of the *Jatha* men have been killed. The report that I have received from men who were there tells me that at least 21 of the *Jatha* men were killed and 150 wounded, and I am further informed that altogether between 100 and 150 were killed on the spot, that some of them were burnt, some were buried and others removed to unknown destinations. Now, Sir, that such a tragedy should happen is a matter deeply to be deplored by every sensible and right-minded man. And what does this Resolution demand? It merely demands that here should be a sifting inquiry, an immediate inquiry, into this affair. The Government of the Punjab have shown their utter incapacity to deal

with the Sikh situation in the Punjab, and the Governments of India, I regret to say, have shown a similar want of competency in dealing with the situation. Here are the Government of India directly responsible for what has happened at Jaito. This is shown by the statement made by the Honourable the Home Member that the Administrator at Nabha came to Delhi to receive instructions regarding what might happen there. What were the instructions given to him? Were they to fire upon an unarmed crowd, to open fire upon these unoffending men and women who went there? Does the House know that with this *Jatha* there were about 50 women going in order to give water to the men and to administer to them such other relief as might be necessary? One child was shot dead in the arms of its mother who, leaving the child on the road-side and ranking a bow to the corpse, went along to join the *Jatha* in order that she might not leave her brethren who were going to the Gurdwara. One other woman was hurt, I am told,—I myself do not know, I cannot vouch for it. I mention it in order that an inquiry may be made immediately. I am told that many of the women that were left behind were badly treated.¹⁸

Is this a state of things to be tolerated? Is this a state of things to be allowed to go on? We first had the Nankana tragedy to which my friend Sardar Gulab Singh referred. I am sorry to inform this House that before the Nankana Tragedy took place on or about the 20th February 1921, on the 6th of January of about a month before that time, Lala Ganpat Rai, Barrister-at-law of Lahore, went over to the Commissioner and the Deputy Commissioner of the place where Nankana is situated and asked that the Government should send a police force, because the Mahant was afraid that he might be attacked. No action was taken. The police was not sent. The responsibility therefore for what took place there does not lie merely upon the Mahant; it lies upon the Government also.

Then you have the Guru-Ka-Bagh tragedy where 1,300 men were wounded and 5,700 men were imprisoned: and the last thing is the second Jallianwala Bagh at Jallian, where a crowd of 500 men pledged to non-violence and others who had gone there with them were fired upon. Is there a part of the world in the British Empire where such events would not rouse the deepest indignation, where they would not be met with a demand for the severest punishment of those who were responsible for the wanton destruction of the lives of so many of His Majesty's subjects? And what were the Sikhs doing? What did they ask for? They did not ask that they should be put in possession of this Gurdwara to the exclusion of other persons. They merely asked that they should be allowed to go there to read the Granth Sahib and to return from there when they had finished reading their sacred book. Even if the crowd was three times as large as it was, unless the situation became dangerous,

where was the justification in law in common sense, for any officer of Government, for any man, to order to open fire upon an unoffending crowd? And, who were the men who were present? I am told that Mr. Johnstone was there, and I am told that Mr. Gregson, Superintendent of Police, was there. Colonel Minchin was there; Colonel Coldstream, Deputy Commissioner of Ferozepore, was there; also an English military officer who was, I am told, firing a Lewis gun. These are the men who were there. I do not know whether it was a Lewis gun or a machine gun that they were firing, I do not know it, I cannot vouch for it. I am putting these facts before the House in order that, if my statement is incorrect, it may be corrected. I only wish to draw the attention of the House to the seriousness of the situation. There were some Nabha officials too. That, in the presence of so many English officers, civil and military, a crowd which was unarmed, a crowd which had not resorted to any violence, which, if it did resort to violence, could at any moment be put down with the armed troops that were available to the Government, that such a crowd should be fired upon is a matter of the deepest condemnation for the administration which is responsible for it, and, that being so, I ask, Sir, that the House should accept the motion of Sardar Gulab Singh, with such modification as may commend itself to this House—personally to me the proposal seems to be quite just—but with such modification as the House may think fit, and lay it down that the inquiry should extend over the entire period from the time when the Gurdwara movement was started until that fateful, sad, day when so many of our fellow subjects, unoffending and inoffensive, fell victims to the want of sense and to the brutality of those who were on the spot and of those who had guided their policy.¹⁹

THE SIKH GURUDWARAS (SUPPLEMENTARY) BILL

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Division: Non-Muhammadian Rural): Sir, I have great pleasure in supporting the motion made by the Honourable the Home Member which is now before the House. I congratulate the Government of India and the Government of the Punjab, and particularly His Excellency Sir Malcolm Hailey on the passing of the Gurdwara Act, and I also congratulate my Sikh friends who have been fighting for Gurdwara reform since 1920. Now, Sir, during these five years, there were three attempts made to pass a Gurdwara Act. The first attempt was made in 1921, when the Government passed a certain measure, but finding that it did not satisfy Sikh opinion, they dropped it. The second was in 1922, when the Government passed a Gurdwara Act in the teeth of the opposition of the Sikh and Hindu members, and the Act remained a dead letter. Sir Malcolm Hailey saw the wisdom of accepting the main principles for which the Sikhs contended. He saw the wisdom, in spite of some of his previous

utterances, of yielding to Sikh public opinion in the matter of the religious reform and management of Sikh Gurdwaras, and he most certainly deserves our congratulation upon the course which he has pursued. The Sikhs have had to carry on a terrible struggle during the last five years to achieve the result which they have now achieved. It is true that some of them have expressed the opinion that the Bill has a few shortcomings. It is also true that there are others like my friend on my left, Baba Ujagar Singh Bedi, who are not satisfied with all the provisions that have been embodied in the Bill. But as my Honourable friend Baba Ujagar Singh Bedi has said, all is well that ends well, and the fact that the Sikh, Hindu and Mussalman Members of the Punjab Legislative Council unanimously accorded their support to the Bill is a fact which has its own importance. Therefore, Sir, I heartily join with my friends in congratulating His Excellency Sir Malcolm Hailey upon the wisdom which he has shown in accepting the Bill and in seeing it through the Council.²⁰

Therefore, so far as the promise to obey the law is concerned, which if the first condition laid down by His Excellency Sir Malcolm Hailey, you have got it in the resolution passed by the leaders. They have appealed to the Panth to work out the Act wholeheartedly. I submit, Sir, that that secures the main part, the substantial part, of the conditions which the Government laid down. When you have got a unanimous resolution of the leaders appealing to the Panth to work out the Act wholeheartedly, I submit that that condition has been fulfilled.²¹

I say, Sir, to the Government, let not the camaraderie which has grown up among the Sikhs and our British fellow subjects not merely during four years of war but for decades, for more than a century, end where it stands at present. Here is a case in which the Sikhs, owing to their desire to obtain control over their religious endowments, have carried on an agitation for years; they have made great sacrifices; thousands of their men have gone to jail; thousands have suffered in many other ways. At the end of four years the Government have recognised the justice and wisdom of acceding to the principal demands for which they have been fighting. When the Gurdwara Act was passed, one would have expected that all the grateful recollection of the camaraderie between the Sikhs and the English would enable the Government to declare that there was an end to all the differences between them and the sikhs, that all those prisoners who are now undergoing imprisonment and have not been guilty of any violence or incitement to violence, would be released, and that the case which has been dragging its miserable length for the last two years, during which period the flower of the Sikh community have been confined to the Lahore Jail would be ended. That was what was expected. That is what we still expect of the Government. The Government have a great opportunity of showing

that their friendship is real, that their declaration of a desire to restore normal and friendly relations with the Sikhs is real, and I submit, Sir, that this opportunity should be utilised. I again thank the Government, I congratulate them, on having acceded to the demands of the Sikhs to the extent they have. But let them recognise that until these leaders are released, the Act will not have a fair trial and that the atmosphere in the Sikh community will not come back to normal. That would not be a desirable state of things. The Government will lose nothing by being generous. The Government have before them the resolution passed unanimously by the leaders that will work the Act wholeheartedly. Let them accept it as a sufficient assurance on the part of these leaders that they mean to give their best support to the Act, and remembering all the camaraderie they have had with the Sikhs, let them not seek to humiliate their leaders by insisting upon their giving an undertaking that they will not behave as criminals. Let the Government treat them as gentlemen and they will find that they are true gentlemen, and in that case the Government will have achieved an object on which they might well be congratulated. If, on the other hand, the release does not come about, if the trial drags on its length, what will be the result? I have appeared in this case for some of the gentlemen who are being prosecuted. As I have said between 400 to 500 witnesses have been examined. The case has gone on for two years. These men have practically suffered imprisonment for 2 years. They may suffer imprisonment for another year. They may be kept in prison for another five years. But I know them. I can say that they will not give that undertaking which they consider will be humiliating to them. And what is the task, in such a position, of a friend, of a true friend, who recognises that it is a friend whom he asks to give such an assurance, who has been a comrade in the field, has been a loyal and steadfast supporter of the Government? I say, the duty of such a friend is to say, "Very well, I thought you would not take it amiss, but if you do not like to give the undertaking which you have been asked to give, we accept the assurance which your public declaration, your past deeds, which your history, which the past history of your community, gives, us; we release you and we wish you and ourselves to be once again friends, comrades, fellow-subjects working for the good of the Empire, working for the honour of the King-Emperor and for the good of the Empire, working for the honour of the King-Emperor and for the good of this ancient land." If the Government will adopt such an attitude, there will be a feeling of satisfaction throughout the country, not merely among the Sikhs, but throughout the country among all classes and communities which inhabit this land, and it will redound entirely to the credit of the Government. I make a strong and earnest appeal to the Honourable the Home Member to represent this matter to the Government in its proper light, and

to see that the passing of the Gurdwara Act bears its expected fruit, that it is not made fruitless like its predecessor, and that the relations between the Government and the Sikhs are again restored to their normal condition, redounding entirely to the credit of the Government.²²

EXTENSION OF REFORMS OF NWFP

Pandit Madan Mohan Malaviya : I may also tell Sir Abdul Qaiyum that I have been told that Colonel Bruce was also present, and he said that the Hindus were also the subjects of the British Government and that such a suggestion should not have been made. Now, Sir, I mention these unfortunate facts with great regret but it is necessary to know the state of feelings that exists in the Frontier Province. It has been repeatedly said that there is a party of Mussalmans in the Frontier Province which is distinctly of opinion that Hindus and Sikhs should go out of the Province. I shall be very happy, as I have said, to know that these allegations are wrong, and if they are I shall most sincerely apologise to the House and to my Honourable friend for having referred to this matter.²³

Sir, I have invited the attention of the House to the fact that during the last 15 years there has been a series of fires and loot in the Frontier Province, and that the Hindus have been the victims in all these cases. But I do not mean to say that that is a ground for refusing to introduce self-government or reforms in that Province. I do not mean to say that that is a ground which disqualifies the people for all time from having self-government.²⁴

The Honourable the Chief Commissioner then went on to refresh another complaint of the Muhammadans. The Muslim Deputation had complained that 30 per cent, of the police had been reeruted from among the Hindus and Sikhs. That was after the Kohat riots. In the Kohat riots it was found that because the police was mainly Muhammadans and because the Frontier Consabulary was also Muhammadan, therefore the Hindus and Sikhs were not sufficiently protected. The Hindus did not want to return to Kohat until the Government gave them safeguards against their being again exposed to the same danger, and one of the safeguards they asked for was that for some time at any rate until normal conditions were established, the Government should appoint 50 per cent, of the police from among the Sikhs and Hindus. The Government agreed to appoint 30 per cent, in the towns and cantonments, but my Mohammedan friends complained of it. The showed much concern about this matter as will be clear from the Chief Commissioner's reply. He said:

"Your concern at the increase of Hindu recruitment to the police is probably due

to the misrepresentation of the orders issued which I have seen in some Muhammadan journals. The orders were to the effect that 30 per cent, of the Hindus in towns and cantonments should be Hindus and Sikhs. This is little if at all in excess of proportion of the population in towns."

Now, Sir I have drawn attention to this expression of opinion of the Chief Commissioner to show that he too feels oppressed by the presence of an intense communal feeling in the frontier province. The facts to which I have drawn the attention of the House are important. It cannot be denied that from time to time local Muslims have attacked the Hindus as a whole, that in the loot to which I have referred it was not Muhammadan houses that were plundered but Hindu houses, and that even among educated Muslims an influential party is unfortunately unfriendly to Hindus and Sikhs. In this state of things, it is for the Assembly and the Government to consider what is the right course to adopt. I am not, as I have said, opposed to reforms, altogether, but I submit that the Resolution before us which asks that Reforms which obtain in other parts of India should be introduced now in the Frontier Province is premature. I submit that the best course to adopt is, that when the time comes, as I hope it soon will, for considering the question of further reforms in India as a whole the facts relating to the Frontier Province should be fully examined and the Commission should be asked to recommend in what form and to what extent self-government should be established in the Province.

Now, Sir, on the second point, and it is not of less importance, it has to be remembered that the Frontier Province is a place which has to be specially guarded if India has to be properly defended. Therefore whatever measure of reforms is introduced,—and I repeat again that I am not opposed to the introduction of self-government in some form or other in the Frontier Province,—but whatever measure is proposed to be introduced should be carefully considered. I wish that the representatives of the Government and Hindu and Muhammadan leaders should sit together and consider the various points and find out and recommend what the reality of the situation demands. It is no good simply decrying a particular view because it does not agree with your view. The facts have to be examined, and if the Government and the leaders of public opinion as represented in this House will sit together and find out what is the best way in which our Muhammadan fellow-subjects could be given every opportunity for self-development and the interests of our Hindu fellow subjects could also be adequately safeguarded, it would be entirely satisfactory and should meet the wishes of all parties.²⁵

To say offhand, on a discussion of a Resolution of this nature, that the present scheme of Reforms should be extended to a province of the importance of the North-West Frontier Province is, I submit with great respect, not the correct way. The opposition which I make is not to the principle of the extension. The opposition which I offer is not prompted by the mere fact that the Hindus are in a minority there. I do not say that Reforms should not be introduced there for that reason. I have never suggested that and will never suggest it. I earnestly hope and pray that communal differences will subside. I myself believe that the right thing for the Hindus and Muhammadans to do is to forget and bury communal quarrels, to discard communal selfishness and prejudice, and to live the larger, nobler life of citizens. I am pleading for that life. I consider that it is the duty of Hindus as well as Muhammadans and Government officials to see that the idea of citizenship develops among all our people. I should be happy if some at least of our time should be employed in devising measures which will promote ideas of citizenship throughout the land. We have to work to establish that the Hindus, even when he is in a minority of only 6 per cent, in a population, should feel secure that his honour and liberty and property are safe in the keeping of his fellow-citizens among the Mussalmans, and the Mussalman should feel that his honour and liberty and property are safe in the keeping of the Hindus where they are in a majority.

To come back to the Resolution, I submit, Sir, that the question has to be considered from the point of view of local conditions and the importance of the Province of the Empire. All I have drawn attention to is meant to show that the question deserves to be studied very carefully. I am very sorry to have had to refer to matters which I knew would be unpleasant and disliked. The House is right in not wishing to hear disagreeable things, but I had a duty to perform. When an important question like the one before us is being discussed, it is our duty even at the risk of being misunderstood to bring facts to the notice of the House and of the Government which have to be considered and which have to be provided for. That does not mean opposition to Reforms. It means that all the conditions of the locality should be examined....

Mr. President : Order, order. The Honourable Pandit must realise that the Chair has allowed him more than double his time.

Nawab Sir Sahibzada Abdul Qaiyum : If you will permit me, Sir, I will say that the Honourable Member is arguing the Government point of view that the Indians must first settle their disputes among themselves before they can expect any further Reforms.

Mr. President : The Honourable Member is giving an opportunity to the Honourable Pandit to continue. Does he wish that the Pandit should continue?

Nawab Sir Sahibzada Abdul Qaiyum : That is not my concern, Sir. It is somebody else's concern.

Pandit Madan Mohan Malaviya : I will conclude, Sir. I beg every Member of this House not to allow any prejudice to grow in his mind by the mention of the unpleasant events to which I have referred. I have referred. I have been very reluctant to mention them, but I have thought it my duty to do so only in order that the gravity of the question before us should be realised. I am opposed to the Resolution as it stands, but I am most anxious that the question of the extension of reforms to the North-West Frontier Province or the question of what form of Government should be established there, which would give the people the fullest measure of freedom to grow and to develop, should be taken up when the Reform Commission comes and should be settled after a dispassionate examination, in which the interests of all parties living in that province and of India as a whole should be considered.²⁶

DEPRESSED CLASSES

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I have very great pleasure in offering my support to the Resolution which is before the House. It is a matter for regret and reproach to the Government and to the country that such a Resolution should have to be brought forward at this advanced period of the history of the world. It is a matter for reproach to both of us, and I wish that we should each, in criticising the other, frankly recognize our share of the responsibility. It is undoubtedly true that for a long time past the depressed classes, as they are called, have been living under conditions which are very depressing indeed. The social customs and rules as they have been understood, or wrongly understood among a section of us Hindus, have largely been responsible for it in the past. But, Sir, as more than one speaker has pointed out, Hindu public opinion has undergone a very great change on these questions, and today it is a matter for sincere satisfaction to Hindus that a large number of their public men of all classes, and among them a large number of Brahmins, are working for the amelioration of the depressed classes. There are many societies and missions working in which the higher classes of Hindus, as they are called, have been taking an active and prominent part to ameliorate the condition of the depressed classes. My Friend Lala Lajpat Rai has referred to these efforts, and mentioned the name of one large-hearted donor, Babu Jugal Kishore Birla, eldest brother of our colleague, Babu Ghanshyamdas Birla. He alone has been

spending between Rs. 20,000 and Rs. 25,000 every month for ameliorating the condition of the depressed classes.²⁷

Mr. H. G. Cocke (Bombay: European): Is it Government?

Pandit Madan Mohan Malaviya: I am speaking of what Babu Jugal Kishore Birla, brother of our friend Babu Ghanshyamdas Birla, has been spending for the last five years for the amelioration of the condition of the depressed classes. There are numerous other individuals and societies which have been working in the same direction, and I am happy to be able to say that Hindu public opinion has undergone a very great change. The House has heard from Pandit Thakurdas Bhargava what that change means. There are thousands of men in the higher belonging to one of the depressed classes and another brother of the higher classes.

Many of us have long recognised that this question of the amelioration of the condition of the depressed classes is largely a question of education. I can say that this has been recognised by every sensible man who has looked at this question. The other day I quoted from a speech which I delivered in 1916 in the Imperial Legislative Council in which I said that:

“the question of the elevation of the depressed classes depends largely, almost wholly, may I say, depends wholly upon education. That is the one solvent which will solve this problem and most certainly do I wish and pray that the Government will do as much more as it can towards the spread of education among these classes. I also urged that the schools of the Government and of the community should be open to the children of the depressed classes as much as to any other children.”²⁸

I draw attention to these facts to show that, while the Government of India as a whole and many officials of the Government of India individually, repeatedly expressed deep sympathy with the cause of the education of the people, and while the Government of India's records are full of Resolutions recognising that it was their duty to extend it and expressing their desire that it should be extended, as a matter of fact the Government of India did very little to promote general mass education. And what is worse, when, as I have said, a Resolution was brought forward in 1910, by Mr. Gokhale in the Governor General's Council, the Home Member at the time, Sir Harvey Adamson, opposed the Resolution. A year later Mr. Gokhale brought forward his Bill for permitting compulsory and free primary education to be introduced in certain areas. It is sad to recall that Government opposed that Bill also. Mr. Gokhale's Resolution of 1910 was withdrawn, but when the motion that his Bill of 1911 be referred to a Select Committee was brought forward the Government members voted against it and with them voted those who

considered it their duty to vote with the Government. It is painful to recall how that modest Bill which sought only to give permission to certain Local Boards under certain conditions to made elementary education free and compulsory was defeated by the votes of the Government. Only 13 of us—humble representatives of the people—voted for the motion to refer the Bill to a Select Committee, and 38 persons—at the head of whose list stood His Honour the Lieutenant Governor of Bengal—and which included all the officials, and I am sorry to say certain Indian members, voted against the motion, and killed the Bill. Now that was in 1912. In 1918, my friend Rai Bahadur B. N. Sarma brought forward a Resolution in this House urging that this Council recommends to the Governor General in Council that one of the post-war reforms should be the introduction throughout British India of free and compulsory primary education immediately after the war. That Resolution again was opposed by the Government. Sir Sankaran Nair was then the Member in charge of Education, and he opposed the Resolution on behalf of the Government, and from the voting on it you will find unfortunately again that there were only 12 of us non-official Indians who voted for the motion, and that there were 43 members and supporters of the Government who voted against it. What was the motion? It was simply this that the Council recommend to the Governor General that one of the post-war reforms should be the introduction throughout British India of free and compulsory primary education, and yet it was opposed by the Government.²⁹

I know, Sir that "Education" is a transferred subject, but I say to the Government of India that they ought to recognise that they have a great responsibility in this matter, that they ought to recognise that they have failed up to this time to do their duty by the depressed classes, and as an index of their desire to make up for it they should accept the Resolution which has been moved with some of the amendments that maybe agreed upon, and that they should send out a circular to all the Local Governments drawing their attention to the crying necessity of a great deal more being done to give these depressed classes better remuneration as well as the education that they need than is being done now. The Government have a solemn responsibility in this matter. That responsibility cannot be discharged by a mere recital of the small progress that has been made in the matter of education. I do not blame the Education Secretary. He has done what he could to describe the situation, and he has described it well.³⁰

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I entirely agree with those Honorable members who have expressed the opinion that no more committees are wanted in this connection. I feel

with my Honourable friends who have spoken about the Skeen Committee, that the recommendations of that Committee are quite clear, and that it is a matter of great regret that the Government of India have not seen their way to give effect to them. I do not agree with the view that the system of education which obtains in this country should be condemned in such an absolute fashion. I think the Sandhurst Committee did not condemn it to the extent that the remarks of some Members would indicate, but if they did, the Honourable the Secretary to the Department of Education has rightly drawn attention to a later report, the Report of the Hartog Committee, which has pointed out how much progress has been made in the direction of promoting character building in our schools and colleges and Universities during a much longer period, for while I am myself a severe critic of the system of education in many respects, I feel that it does not lie with any Honourable Member to say that the system of education which has prevailed in this country has not helped to build up character. I ask any man to look around the country and to say who are the people who are carrying on the administration of this country. The vast bulk of the men who are carrying on the administration in the executive departments, in the judicial departments, and in the revenue and other departments, are Indians. These Indians are men of character. It has been demonstrated and thoroughly established that they are men of character.

"The judicial service is very pure service; cases of corruption are rare exceptions, and not the rule. The executive service is also, as a whole a pure service; exceptions are very few. I claim that we Indians have that that character is not mainly the result of the present system of English education. I think any one who has studied history knows that Hindus and Mussalmans have inherited great civilizations, and that these civilizations have been responsible for producing men of character among us. In that light I do not think that there is any occasion to say that suitable Indians for the Army will not be found in sufficient numbers unless you start schools like those the Dehradun and Jhelum. Character-training has been going on in all our educational institutions and it has developed steadily during the last few decades. Nor is it necessary, as some people think, to have public schools in this country of the type they have in England before you can train Indians as officers for the Army. It is not correct to say that the English public school system, though it is a very valuable one and I appreciate it highly, is a *sine qua non* for training character among our young men. In their Report the Skeen Committee say:

"While we recognise that the Indian boy has not the same advantage as the British boy who is educated and trained up under the public school system and is therefore deficient in certain matters to which reference has already been

made, yet at the same time it cannot be forgotten that in countries like France, the United States and Canada there are with a few exceptions no public schools of the English model, but nevertheless they have been able to produce officers of great character who possessed great powers of leadership."³¹

Mr. G. M. Young : On a point of personal explanation, Sir. I never referred to the recommendations as a whole; I referred to this particular recommendation only.

Pandit Madan Mohan Malaviya : I accept the statement of the Army Secretary; but his remarks gave the idea that he spoke of the general recommendations of the Committee and Mr. Jinnah's remarks on that point confirmed me in that view.

Now, Sir, I ask that the Government of India should make up their minds to give effect to the recommendations of the Sken Committee. Let them take up the recommendations point by point, and let them tell this Assembly from time to time in what respect they have given effect to these recommendations, and tell us of the progress that is made.³²

SLAUGHTER OF MILK COWS

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I am sorry, but I am not surprised at the reply which the Honourable the Secretary of the Department of Education, Health and Lands has given on the Resolution. I also feel that it is useless to try to commend this Resolution to the House at this moment, but the Resolution having been brought before the Assembly. I feel it my duty to draw the attention of Honourable Members to a few aspects of the question. In the first place I wish to ask every Member of the House, whatever his creed, whatever the community he may belong to, to think what we all human beings owe to the cow. I suppose most Members, if not all, use cow's milk—at any rate with the tea that they take in the morning and evening...

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Mahatma Gandhi takes goat's milk.

Pandit Madan Mohan Malaviya : I wonder if Dr. Suhrawardy taking goat's milk; but whether he does so or not, I wish my remarks to appeal to the goat as well as to the cow. I wish Members when they take milks whether goat's milk or cow's milk, to remember that there is such a thing as gratitude to those who confer benefits on them, and I wish them to think of the gratitude which mankind owes to the cow, even more than to the goat though it owes it to the goat also; and I wish Members to consider whether it is right that the dear animal which helps mankind to substitute for the mother's milk, from the time that it ceases to get it, its own

milk, and to live by and flourish on it, until the last days of our existence—to consider whether apart from any religious consideration, such an animal does not deserve our grateful sympathy. I know that during the days of the Ramzan, after the days fasting, my Muslim friends love nothing better in the evening than to take cow's milk, and I know that no European can fail to admit what a blessing cow's milk is, whether taken along with his tea or in other ways. I think therefore that it is the duty of every man, of every country and of every clime, to protect the cow, to protect in fact all animals which give us milk, but more especially the cow which stands at the head of the dear animals which supply milk to mankind; and I do appeal to everybody to look at this problem in this light.³³

Looked at in this light, the problem assumes a very much higher aspect than it wore in the remarks to which we have listened. We all know what reverence we pay to the mother because she brought us up on her breast, because she supported us by her milk; and the cow supplies her milk to us throughout our lives which the mother ceases to supply after some time. Therefore I submit in all humility and in all love, without any other religious feeling, than the feeling which should pervade us all, the common feeling of loving God's creatures, particularly those who do us good, that we should save the cow from being killed. That is the first aspect.³⁴

The second aspect of it is the economic aspect. Is there an animal living in this wide land of India to whom man is more gratefully indebted than the cow? You have heard of the milkers: you have heard of the draft cattle which the cow gives to the country. Where would India have been if the cow did not exist in India? The economic aspect of the question deserves more consideration than it has yet received either from the Government of India or from the agricultural population. Figures are easily stated and can be made to produce a certain effect; but I put two very simple questions. What has my Honourable friend opposite to say to the statement of Chaudhuri Mukhtar Singh that milk is dearer in Bombay and in Calcutta than it is in London? Is milk available to the people of India in the same extent to which it was twenty years ago? Have the Government taken note of the heavy mortality of children in Calcutta and Bombay? Have they also noted that in Eastern Bengal, among the Muslim population, the mortality of children is even greater than among the Hindus in that part of the country? Have they ever pondered over the question as to how much of this heavy child mortality is ascribable to the want of cheap pure milk? Can there be any answer to this question that milk has become very much dearer than it was twenty years ago, and that it has become very difficult for people to get pure milk even in the larger cities?³⁵

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Why milk only? Everything is becoming dearer.

Pandit Madan Mohan Malaviya : Have the Government got any answer to give on that point? A military gentlemen—I regret I do not remember his name—who gave evidence before the Royal Commission on Agriculture, stated that for meat there was a substitute in the shape of pulses, but that for milk there was no substitute. That was the evidence of an English military gentleman before the Royal Commission on the Agriculture.

I will mention one simple instance. There is a *goshala* at Benares. The *brahmachari* who works it showed me a cow which was going to be sold to a butcher for four rupees. It was a small blind cow. The *brahmachari* purchased her and took her to the *goshala* at Rameshar in Benares; he told me that this cow had been with him for some years and had given three calves; two of them had become breeding bulls—one of them a small bull whom I saw fighting a very big bull in that *goshala*; and a cow which was giving a plentiful supply of milk. Now, put four rupees on one scale; and on the other, three calves, of whom two were bulls and one a cow at the time I saw them—perhaps there are three more by this time—and all the milk they have given and all the draught power and all the ploughing service which has been obtained from them. Can there be a greater, more tremendous, a more criminal waste of the great gift which God has blessed man with, than that such a cow should be sent to the slaughter house? I hope this aspect of the question at least might appeal to many Members to whom the first part of my submission may not. But looking at the question from both points of view, the humane and the economic it is a matter for serious consideration whether steps should not be taken to prevent the slaughtering of at least the cows mentioned in the Resolution. So far as I am concerned, I wish no cattle to be slaughtered, no cows, no goats, no sheep to be slaughtered. God in His bounty has given us plenty to eat, the daintiest of cereals and the most delicious of fruits, and at the same time plenty of milk to drink in addition. Gratitude to God demands that no creature of God shall destroy another creature of God either for pleasure or for profit. Let me support what I have said by the words of a great poet. Wordsworth was going through a village when he saw a well with an epitaph put upon it. His shepherded guide told him that a knight errant was chasing a deer, and that to save its life the deer, after running a long distance, jumped into the well and died. The knight was chastened, and repenting of the wrong he had done, he put on the epitaph which was there.

REFERENCES

1. He advocated for the welfare of the cow and opposed its killing by a butcher.
2. In the Central Assembly Malaviya fought for the upliftment of the untouchables. He blamed the Hindu society for their wretched social and economic condition.
3. See the Seditious Meetings Act in the Imperial Legislative Debates, August 1910.
4. *Ibid.*
5. *Ibid.*
6. His speech on the Indian Criminal Law Amendment (Repealing) Bill in Debates, Legislative Assembly, 1924, Vol. IV, part V, pp. 3535 ff.
7. *Ibid.*
8. Recommendations of Lee Commission, Debates, Legislative Assembly, 1924. Vol. IV, part V, pp. 3346 ff.
9. *Ibid.*
10. *Ibid.*
11. *Ibid.*
12. Debate on grant of full self-governing Dominion Status to India; See Debates, Legislative Assembly, 1924; Vol. IV, pp. 521 ff.
13. *Ibid.*
14. *Ibid.*
15. *Ibid.*
16. Grievances of the Sikh Community, See Debates, Legislative Assembly and active participation of Malaviya, 1924, 1925, Vol. IV, part II, pp. 966 ff. and Vol. VI, part I, pp. 532 ff.
17. *Ibid.*
18. *Ibid.*
19. *Ibid.*
20. *Ibid.*
21. *Ibid.*
22. *Ibid.*
23. Extension of Reforms to North West Frontier Province, See Debates, Legislative Assembly, 1926, Vol. II, pp. 1334 ff.
24. *Ibid.*
25. *Ibid.*
26. *Ibid.*

27. Upliftment of Depressed classes, See Debates, Legislative Assembly, 1928, Vol. I, pp. 712 ff.
28. *Ibid.*
29. *Ibid.*
30. *Ibid.*
31. The present system of education in India, See Debates, Legislative Assembly, 1930, Vol. I, pp. 534 ff.
32. *Ibid.*
33. Slaughter of milk cows; it was vehemently opposed by Malaviya; See Debates, Legislative Assembly, 1930, Vol. I, pp. 211 ff.
34. *Ibid.*
35. *Ibid.*

Foundation of Banaras Hindu University

Annie Besant and her Proposed University of India

Born on the 1st October, 1847, in London, she was married in 1867 to Rev. Frank Besant, and had a son and a daughter. She got herself legally separated in 1873, and came under the influence of Charles Bradlaugh and was appointed Vice-President of National Secular Society and Co-Editor, *National Reformer*, in 1877. She formed the Malthusian League. She came in contact with madame Blavatsky in 1882 and joined the Theosophical Society in 1889. The Theosophical Society was, at that time passing through a crisis. The regrettable misrepresentation and the malicious lies of the Coulombs had created an artificial uncertainty about theosophical doctrines and tenets and had cast its leaders and officers into undeserved public odium. To join it at that time required considerable self-confidence for anyone, the more so for one with the secularist views of Mrs. Besant. From the moment she embraced theosophy, she began to work for its cause with her characteristic zeal. As a result of her strenuous work for and in the name of the Society, the Coulombs died a natural death. Under her guidance, the work of the Society ran into fruitful channels.¹

Mrs. Besant came to India in 1893 and since then she made India her Home. India was fortunate in having a gifted and high-souled woman like Mrs. Besant in her midst. The preliminary grounding she had in England stood her in good stead here. Her rationalistic surroundings in early age, her love of knowledge, her association with Mr. Charles Bradlaugh and the school of political and religious thought he represented, her work for the Free-thought and the Socialist causes, her intense hatred of oppression and cruelty in every form and shape, and her high spirituality had each and all their effect in preparing her for her life's work in India—the bringing of the other world in touch with the spiritual wealth of India for the benefit of humanity. How to re-invigorate India and how to make her take her destined place and fulfil her mission in the scheme of the Universe was the foremost thought in the minds of Mrs. Besant. Her plain and unmistakable answer was, "Revivify its people, revivify its literature, revivify its religion."²

In the year 1916, she launched her great Home Rule movement. She disaffiliated her Theosophical Educational institutions at Madanapalle from the Madras University. A national High School was established at Adyar, Madras. Poet Rabindranath Tagore was its Patron. Similar institutions were established at other places also. A Society for the promotion of National Education was organised. She started a daily, the *New India* and later, a weekly, the *Commonweal*. The Home Rule movement worked through the daily, 'New India'. Lord Pentland promulgated the G. O. 559 prohibiting the students, who had become a great force in the agitation, from taking part in politics. Mrs. Besant was called upon to furnish a Security of Rs. 20,000/- for her press and papers. The whole amount was forfeited in 1917 under the Press Act. She was then interned in June 1917, with her associates, Dr. G. S. Arundale and Mr. B. P. Wadia. They were released in Sept. 1917.

Mrs. Besant was elected President of the Congress Session held in Calcutta in December 1917. Till then the Presidentship of the Congress was a matter of only three days' activity. The view of Mrs. Besant was that the President of the Session should continue as such throughout the succeeding year. Though the idea was not new, it was not enforced in the history of the Congress till then. She was the first to act upon it. It was at this Session of the Congress that the question of the national flag was formally raised. The Home Rule League had already adopted and popularized the tricolour flag. The Congress appointed a Committee to recommend a design but this Committee never met. The Home Rule Flag, with the Charkha added on it later on, virtually became the Congress flag till 1931, when the saffron colour was substituted for the red. Mrs. Besant was actively connected with the Congress till the year 1929. She passed away on the 20th September, 1933.³

The following is the position for the Royal Charter for the establishment of this University of India.

TO,

THE KING'S MOST EXCELLENT MAJESTY-IN-COUNCIL

The humble petition of the undersigned inhabitants of India

Sheweth as follows :

1. That for some time past your petitioners have felt the need for and are desirous of establishing a new University in India, having a field of activity of a distinctive character from the existing Universities, and possessing special features of its own; moreover your petitioners believe—in accordance with the declarations of the Imperial Government on many

occasions—that higher education should more and more devolve on private and voluntary endeavours, thus lessening the burden on the State, and that the establishment of a University resting on such endeavours is absolutely necessary for unifying and rendering effective Indian initiative in educational matters.

2. The most marked speciality of the proposed University will lie in the fact that it will affiliate no College in which religion and morality do not form an integral part of the education given; it will make no distinctions between religions, accepting equally Hindu, Buddhist, Parsi, Christian and Muhammadan, but it will not affiliate any purely secular institution. It will thus supply a gap in the educational system of India, and will draw together all the elements which regard the training of youth in honor and virtue as the most essential part of education. It will be a nursery of good citizen instead of only a mint for hall-marking a certain standard of knowledge.
3. The second important speciality will be the placing in the first rank of Indian philosophy, history, and literature, and seeking in these, and in the classical languages of India, the chief means of culture. While western thought will be amply studied, eastern will take the lead, and western knowledge will be used to enrich, but not to distort or cripple, the expanding national life.
4. The third important speciality will be the paying of special attention to manual and technical training, to science applied to agriculture and manufactures, and to Indian arts and crafts, so as to revive these now decaying industries, while bringing from the West all that can usefully be assimilated for the increasing of national prosperity.

The University shall have the powers following:⁴

- (1) To impart and promote the imparting of Education—Literary, Artistic, and Scientific, as well as Technical, Commercial and Professional—on National lines and under National control, not in opposition to but standing apart from the Government system of Collegiate Education—attaching special importance to a knowledge of the Country, its Literature, History and Philosophy, and designed to incorporate with the best Oriental ideals of life and thought, the best assimilable ideals of the West, and to inspire students with a genuine love for a real desire to serve the country.
- (2) To promote and encourage the study chiefly of such branches of the Arts, Sciences, Industries, and Commerce as are best calculated to develop the

material resources of the country and to satisfy its pressing wants, including in Scientific Education generally a knowledge of the scientific truths embodied in Oriental Learning, and in Medical Education, specially, a knowledge of such scientific truths as are to be found in the Ayurvaidik and Hakimi systems.

- (3) To found and affiliate National Colleges, such Colleges being institutions which recognise religion and ethics as integral parts of a true education, whether they teach these in the College or in denominational Hostels connected therewith.
- (4) To grant and confer degrees and other academic distinctions to and on persons who shall have pursued an approved course of study in the University and the Colleges founded by or affiliated to it and shall have passed the examinations of the University under conditions laid down in its Regulations: Provided that Degrees representing proficiency in technical subjects shall not be conferred without proper security for testing the scientific and general knowledge underlying technical attainments.
- (5) To admit Graduates of other Universities to Degrees of equal and similar ranks in the University.
- (6) To confer Degrees of the University on any persons who hold office in the University as Professors, Readers, Lecturers or otherwise who shall have carried on independent research therein.
- (7) To grant Diplomas or certificates to persons who shall have pursued a course of study approved by the University under conditions laid down by the University.
- (8) To confer Honorary Degrees or other distinctions on approved persons: Provided that all degrees and other distinctions shall be conferred and held subject to any provisions which may be made in reference thereto by the Regulations of the University.
- (9) To provide for instruction in such branches of learning as the University may think fit and also to make provision for research and for the advancement and dissemination of knowledge.
- (10) To examine and inspect schools and other educational institutions and grant certificates of proficiency and to provide such lectures and instruction for persons not members of the University as the University may determine.

- (11) To accept the examinations and periods of study passed by students of the University and other Universities or places of learning as equivalent to such examinations and periods of study in the University as the University may determine and to withdraw such acceptance at any time.
- (12) To admit the members of other institutions to any of its privileges and to accept attendance at courses of study in such institutions in place of such part of the attendance at courses of study in the University and upon such terms and conditions and subject to such regulations as may, from time to time be determined by the University.⁵
- (13) To accept courses of study in any other institution which in the opinion of the University possesses the means of affording the proper instruction for such courses and to withdraw such acceptance at any time: Provided that in no case shall the University confer a Degree in Medicine or Surgery upon any person who has not attended in the University during two years at least courses of study recognised for such Degree or for one of the other Degrees of the University.
- (14) To enter into alliance with any of the Indian Educational bodies working on similar lines to the University.
- (15) To co-operate by means of joint Boards or otherwise with other Universities or authorities for the conduct of Matriculation and other Examinations, for the examination and inspection of schools and other academic institutions and for the extension of University teaching of influence in academic matters and for such other purposes as the University may from time to time determine.
- (16) To enter into any agreement with any other institution or Society for the incorporation of that institution in the University and for taking over its property and liabilities and for any other purpose not repugnant to this our Charter.
- (17) To institute Professorships, Readerships, Lecturerships, and any other offices required by the University and to appoint to such offices.
- (18) To institute and award Fellowships, Scholarships, Exhibitions and Prizes.
- (19) To establish and maintain Hostels and Boarding-houses for the residence of students.
- (20) To do all such other acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University as a teaching and examining body and to cultivate and promote Acts, Science and Learning.

The Senate Shall consist of: (i) Life-Fellows; (ii) Elected Fellows.

Friends of India saw that there was little hope for three charters; also that the Muslim community had deliberately and finally cut themselves off from the large scheme of the University of India; and that therefore the only course left was to modify the University of India scheme into one for the University of Benares. Mrs. Besant and Pandit Malaviya met in Calcutta in March 1911, talked over the situation and decided to join hands. A further meeting was held between them and a few other leading Hindus at Allahabad on the 8th of April, 1911, and it was agreed that the petition for a Royal Charter already submitted by Mrs. Besant to the King-Emperor through the Government should be the basis of work with certain modifications. These proposed changes were printed in a circular letter dated the 11th April, 1911, issued by Mrs. Besant which was also published in various dailies and weeklies. The following is the circular letter :⁶

Benares City

April 11th, 1911

THE UNIVERSITY OF INDIA

Now The University of Benares

Since the University of India scheme was first formulated, many changes have come over the position of public affairs, and when the Petition for a Royal Charter was ready for signature my three chief Musalman supporters withdrew, Aligarh College having refused co-operation on the ground that the Muhammadans wished to have a College of their own. The Petition was sent up to the Secretary of State for India by H. E. the Viceroy in September, 1910. Since then has come the formal demand for a University Charter from the Musalmans, and the admirably carried out mission of H. H. the Aga Khan. This has aroused a strong feeling of emulation in the Hindu population, and a wish to have a University of their own.

A scheme for such a University was formulated some years ago by the Hon. Pandit Madan Mohan Malaviya; the question then arose: "Is it desirable to send up to the Government three petitions for University Charters? May not such a procedure lead to a refusal of the whole?"

As the Charter already sent up by a strong body of representative men, including no less than five present and past Vice-Chancellors of already existing Universities, asks for powers which would cover the whole of the Hon. Pandit's scheme, and as that scheme includes the immediate establishment of a residential and teaching University, which we, on our side, were not prepared to undertake at once, friends on both sides counselled the Hon. Pandit and myself to blend our schemes, so that

there should go up the Crown from India only two Petitions, one from the educated portion of the Hindu population of the Indian Empire, and one from the educated portion of the Musalman: if the petitions are granted—and under the conditions both would be granted or both refused—India would then possess two Universities, in one of which Hindu culture and in the other of which Musalman culture would be the presiding spirit, which both would be freely open to men of all faiths, thus avoiding the narrowness which threatens purely denominational Institutions.

To bring about the union between the two schemes of the Hon. Pandit and myself, certain modifications in the Petition already before the Crown are necessary, and these have been formulated as below; to these the assent of those who signed the original Petition is now being sought. The most important of these is the immediate establishment of a residential and teaching University, inserted as para 2 in the preamble; the others are comparatively unimportant. A change of name is imperative, as the establishment of the Aligarh University will make the sweeping title of the "University of India" a misnomer. When I chose it, I had hoped that both communities would unite. We have therefore agreed to change this name to the "University of Benares", in Hindi, the "Kashi Vishvavidyalaya". Doubtless the two Universities will be popularly known as the Hindu and Moslem Universities, but territorial designations are everywhere adopted for such Institutions.⁷

On the 10th July, 1911, Pandit Madan Mohan Malaviya came to Banaras and had an informal talk with some members of the Central Hindu College Committee. He pointed out certain difficulties that presented themselves to his mind and the minds of some of his friends, in connection with the amalgamated scheme as published. He proposed certain alteration which to the other present, seemed, in some important respects to alter the character of the amalgamated scheme. He was, however, advised by the members of the College Committee to write to Mrs. Besant in detail about it. Then in the *Leader*, dated the 15th July, 1911, appeared the announcement of Pandit Malaviya which put in a nut-shell the points that he has mentioned at the informal meeting of July 10, 1911. But this announcement did not and could not solve the real difficulties and was interpreted differently by different people.

For the Trustees present in the meeting in their official capacities as members of the Board of Trustees of the Central Hindu College, the only point of contact with the proposed University was Mrs. Besant, the President and principal-founder of the Central Hindu College and they could not be expected to accept the further modifications proposed by Pandit Malaviya without knowing whether they would be

accepted by Mrs. Besant or not. Unless they were sure that Pandit Malaviya and Mrs. Besant were in through agreement they could not say that the college would be given over to the new University. In addition to this, there were some legal difficulties pointed out by the distinguished lawyer in the chair. At the same time it was felt that it would not be possible to keep the public in entire suspense as to the general attitude of the Trustees towards the broad question of the amalgamated scheme of the University of Benares. The Board therefore decided to pass a tentative resolution as follows:—⁸

“Resolved that in view of the legal difficulties involved in the draft resolution, the Board is of opinion that the time is not ripe for taking any action in regard to the funds and properties of the institution, but the Board desires to place on record its willingness to join hands with Mrs. Besant and the Hon’ble Pandit Madan Mohan Malaviya and to co-operate with them in all ways in promoting the establishment of the Hindu University at Benares of which the Central Hindu College shall form an integral portion”.⁹

THE HINDU UNIVERSITY

The following prospectus of the Benares Hindu University Scheme was published in July 1911.

The proposal to establish a Hindu University at Benares was first put forward at a meeting held in 1904, at the ‘Mint House’ at Benares, which was presided over by H. H. the Maharaja of Benares. A prospectus of the University was published and circulated in October, 1905, and it was discussed at a select meeting held at the Town Hall at Benares on the 31st December, 1905, at which a number of distinguished educationists and representatives of the Hindu community of almost every province of India were present. It was also considered and approved by the Congress of Hindu Religion which met at Allahabad in January, 1906. The scheme met with much approval and support both from the Press and the Public.¹⁰

This was in 1906. The scheme has ever since been kept alive by discussions and consultations with a view to begin work. But owing to circumstances which need not be mentioned here, an organised endeavour to carry out the proposal had to be put off year after year until last year. Such endeavour would assuredly have been begun last year. But the lamented death of our King-Emperor, and the schemes for Imperial and Provincial memorials to His Majesty, and the All-India memorials to the retiring Viceroy, came in, and the project of the University had yet to wait. Efforts have now been going on since January last to realise the long-cherished idea. As the result of the discussion which has gone on, the scheme has undergone some

important changes. It has generally been agreed that the proposed University should be a residential and teaching University of the modern type. No such University exists at present in India. All the five Universities which exist are mainly examining Universities. They have done and are doing most useful work. But the need for a University which will teach as well as examine, and which by reason of being a residential University, will realise the ideal of University life as it was known in the past in India, and it is known at present in the advanced countries of the West, has long been felt, and deserves to be satisfied,¹¹

THE OBJECTS

The objects of the University have been thus formulated :

- (i) To promote the study of the Hindu Shastras and of Sanskrit literature generally, as a means of preserving and popularising for the benefit of the Hindus in particular and of the world at large in general, the best thought and culture of the Hindus, and all that was good and great in the ancient civilization of India;
- (ii) to promote learning and research generally in arts and science in all branches;
- (iii) to advance and diffuse such scientific, technical and professional knowledge, combined with the necessary practical training, as is best calculated to help in promoting indigenous industries and in developing the material resources of the country; and
- (iv) to promote the building up of character in youth by making religion and ethics an integral part of education.

THE COLLEGES

It is proposed that to carry out those objects, as, and so far as funds should permit, the University should comprise the following Collegés:—

- (1) A Sanskrit College—with a Theological department;
- (2) A College of Arts and Literature;
- (3) A College of Science and Technology;
- (4) A College of Agriculture;
- (5) A College of Commerce;
- (6) A College of Medicine; and
- (7) A College of Music and the Fine Arts.

It will thus be seen that the Faculties which it is proposed to constitute at the

University are those very Faculties which generally find recognition at every modern University in Europe and America. There is no proposal as yet to establish a Faculty of Law; but this omission can easily be made good if there is general desire that the study of Law should also be provided for.¹³

THE SANSKRIT COLLEGE.

The Colleges have been somewhat differently named now. Vedic College of the old scheme has given place to the Sanskrit College with a theological department,—where satisfactory provision can be made for the teaching of the Vedas also. Over a hundred years ago in the year 1791, Mr. Jonathan Duncan, the Resident at Benares, proposed to Earl Cornwallis, the Governor General:

That a certain portion of the surplus revenue of the province or zemindari of Benares should be set apart for the support of a Hindu college or academy for the preservation of the Sanskrit literature and religion of the nation, as this the centre of their faith and the common resort of their tribes.

The proposal was approved by the Governor-General, and the Sanskrit College was established. From that time it has been the most important institution for the preservation and the promotion of Sanskrit learning throughout India. The debt of gratitude which the Hindu community owes to the British Government for having made this provision for the study of Sanskrit learning can never be repaid. And it is in every way met and proper that instead of establishing a new College in the same city where the same subjects will be taught the Government should be approached with a proposal to incorporate this College with the proposed University. If the proposal meets with the approval of the Government, as it may reasonably be hoped that it will, all that will then be necessary will be added a theological department to the Sanskrit College, for the teaching of the Vedas. When the Sanskrit College was started four chairs had been provided for the teaching of the four Vedas. And they were all subsequently abolished. This has long been a matter for regret.

The Vedas have more than antiquarian value for Hindus. They are the primary source of their religion. And it is a matter of reproach to the Hindus, that while excellent provision is made for the study and elucidation of the Vedas in Germany and America, there is not one single first-rate institution in this country for the proper study of these sacred books. An effort will be made to remove this reproach by establishing a good Vedic School at this University. This, if done, will complete the provision for the higher study of Sanskrit literature at Kashi, the ancient seat

of ancient learning. The Vaidic School will naturally have an *ashram* or hostel attached to it for the residence of Brahmacharis, some of whom may be trained as teachers of religion. The substitution of the name, 'the Sanskrit College' for the Vaidik College in the scheme, has been made in view of this possible incorporation.

THE COLLEGE OF ARTS AND LITERATURE.

The second College will be a College of Arts and Literature, where languages, comparative philology, philosophy, history, political economy, pedagogics, and will be taught. It is proposed that the existing Central Hindu College at Benares should be made the nucleus of this College. The self-sacrifice and devotion which have built up this first-class institution, must be thankfully acknowledged; and, if the terms of incorporation can be satisfactorily settled, as they may well be, the College should be taken up by the University, and improved and developed so as to become the premier College on the Arts side of the University. The incorporation and development will be both natural and reasonable, and there is reason to hope that the authorities of the Central Hindu College will agree to this being done.

THE COLLEGE OF SCIENCE AND TECHNOLOGY.

The third College will be the College of Science and Technology, with four well-equipped departments of pure and applied sciences.

THE COLLEGE OF AGRICULTURE.

It is proposed that the second College to be established should be the College of Agriculture. For a country where more than two-thirds of the population depend for their subsistence on the soil, the importance of agriculture cannot be exaggerated. Even when manufacturing industries have been largely developed, agriculture is bound to remain the greatest and the most important national industry of India. Besides, agriculture is the basic industry, the industry on which most of the other industries depend. As the great scientist Baron Leibig has said—'perfect agriculture is the foundation of all trade and industry—is the foundation of the riches of the State.' The prosperity of India is, therefore, most closely bound up with the improvement of its agriculture. The greatest service that can be rendered to the teeming millions of this country is to make two blades of grass grow where only one grows at present. The experience of the West has shown that this result can be achieved by means of scientific agriculture. A comparison of the present outturn per acre in this country with what was obtained here in former times and what is yielded by the land of other countries shows the great necessity and the vast possibility of improvement in this direction. Wheat land in the United Provinces which now gives 840 lbs. an acre yielded 1,140 lbs. in the Akbar. The average yield

of wheat per acre in India is 700 lbs; in England it is 1,100 lbs. Of rice the yield in India is 800 lbs. as against 2,500 lbs. in Bavaria. America produces many times more of cotton and of wheat per acre than we produce in India. This marvellously increased production in the West is the result of the application of science to agriculture.

THE COLLEGE OF MEDICINE.

It is proposed that the next College to be established should be the College of Medicine. The many Medical Colleges and schools which the Government have established in various provinces of India have done and are doing a great deal of good to the people. But the supply of qualified medical men is still far short of the requirements of the country. The graduates and licentiates in medicine and surgery whom these Colleges turn out are mostly absorbed by cities and towns. Indeed, even in these, a large portion of the population is served by Vaidyas and Hakims, who practise, or are supposed to practise, according to the Hindu or Mohammedan system of medicine. In the villages in which the nation dwells, qualified medical practitioners are still very rare. Hospital assistants are employed in the dispensaries maintained by District Boards. But the number of these also is small. The result is that it is believed that vast numbers of the people have to go without any medical aid in fighting against disease, and a large number of them have in their helplessness to welcome the medical assistance of men who are often uninstructed and incompetent. The need for more Medical Colleges is thus obvious and insistent. In the last session of the Imperial Legislative Council, the Hon'ble Surgeon-General Lukis, Inspector-General of Civil Hospitals in India, referring to the advice recently given to the Bombay medical men by Dr. Tremalji Nariman, exhorted Indians to found more Medical Colleges.

The distinguishing feature of the proposed Medical College at Benares will be that Hindu medical science will be taught here along with the European system of medicine and surgery. Hindu medical science has unfortunately received less attention and recognition than it deserves. Hippocrates, who is called the 'Father of Medicine,' because he first cultivated the subject as a science in Europe, has been shown to have borrowed his *Materia medica* from the Hindus. 'It is to the Hindus,' says Dr. Wise, late of the Bengal Medical Service, we owe the first system of medicine.' It will be of some interest to Hindu readers to know,' says Romesh Dutt in his "History of Civilisation in Ancient India," 'when foreign scientific skill and knowledge are required in every district in India for sanitary and medical work that twenty-two centuries ago. Alexander the Great kept Hindu physicians in his camp

for the treatment of disease which Greek physicians could not heal, and that eleven centuries ago Haroun-al-Rashid of Bagdad retained two Hindu physicians known in Arabian records as Manka and Saleh as his own physicians.' Not only throughout the Hindu period—including of course the Buddhist—but throughout the Mohammedan period also, the Hindu system was the national system of medical relief in India, so far at least as the Hindu world was concerned, and so it remains, to a large extent, even to this day. Being indigenous it is more congenial to the people; treatment under it is cheaper than under the European system and it has merits of its own which enable it to stand favourable comparison with other systems. In support of this view it will be sufficient to mention that Kavirajas or Vaidyas who have a good knowledge of Hindu medical works, command a lucrative practice in a city like Calcutta, in the midst of a large number of the most competent practitioners of the European system. This being so, it is a matter for regret that there is not even one first class institution throughout the country where such Kavirajas or Vaidyas may be properly educated and trained to practise their very responsible profession. The interests of the Hindu community demand that satisfactory provision should be made at the very least at one centre in the country for the regular and systematic study and improvement of a system which is so largely practised, as is likely to continue to be practised in the country. It is intended that the proposed Medical College of the University should form one such centre. The Hindu system of medicine shall here be brought up to date and enriched by the incorporation of the marvellous achievements which modern medical science has made in anatomy, physiology, surgery and all other departments of the healing art, both on the preventive and the curative side. The aim of the institution will be to provide the country with Vaidyas well qualified both as physicians and surgeons. It is believed that this will be a great service to the cause of suffering humanity in India.¹⁴

THE MEDIUM OF INSTRUCTION.

When the idea of a Hindu University was first put forward, it was proposed that instruction should be imparted in general subjects through the medium of one of the vernaculars of the country. It was proposed that that vernacular should be Hindi, as being the most widely understood language in the country. This was supported by the principle laid down in the Despatch of 1954, that a knowledge of European arts and sciences should gradually be brought by means of the Indian vernaculars, within the reach of all classes of the people. But it is felt that this cannot be done at present owing to the absence of suitable treatises and text-books on science in the vernaculars. It is also recognised that the adoption of one

vernacular as the medium of instruction at an University which hopes to draw its *alumni* from all parts of India will rain several difficulties of a practical character which it would be were to avoid in the beginning.¹⁵

It has, therefore, been agreed that instruction shall be imparted through the medium of English, but that as the vernacular are gradually developed, it will be in the power of the University to allow any one or more of them to be used as the medium of instruction in subjects and courses in which they may consider it practicable and useful to do so. In view of the great usefulness of the English language as a language of world-wide utility, English shall even then be taught as a second language.

THE NEED FOR THE UNIVERSITY.¹⁶

There are at present five Universities in India, *viz.*, those of Calcutta, Bombay, Madras, Lahore and Allahabad. These are all mainly examining Universities. In founding them, as the Government of India said in their Resolution on Education in 1904:

The Government of India of that day took as their model the type of institution then believed to be best suited to the educational conditions of India, that is to say, the examining University of London. Since then the best educational thought of Europe has shown an increasing tendency to realise the inevitable shortcoming of a purely examining University, and the London University itself has taken steps to enlarge the scope of its operations by assuming tutorial functions...

Besides, a merely examining University can do little to promote the formation of character, which, it is generally agreed, is even more important for the well being of the individual and of the community, than the cultivation of intellect. These and similar considerations point to the necessity of establishing residential and teaching Universities in India of the type that exists in all the advanced countries of the West. The proposed University will be such a University—a Residential and Teaching University. It will thus supply a distinct want which has for some time been recognised both by the Government and the public, and will, it is hoped, prove a most valuable addition to the educational institutions of the country.

But even if the existing Universities were all teaching Universities, the exterior of many more new Universities would yet be called for in the best interests of the country. If India is to know, in the words of the great Educational Despatch of 1854, those vast moral and material blessings which flow from the general diffusion of useful knowledge, and which India may, under Providence, derive from her connection with England'; if her children are to be enabled to build up indigenous

industries in the face of the sequel competition of the most advanced countries of the West, the means of higher education in this country, particularly on scientific industrial and technical education will have to be very largely increased and improved. To show how great is the room for improvement, it will be sufficient to mention that as against five examining Universities in a vast country like India, which is equal to the whole of Europe *minus* Russia, there are eighteen Universities in the United Kingdom, which is nearly equal in area and population to only one province of India namely, the United Provinces; fifteen in France; twenty-one in Italy; and twenty-two State endowed Universities in Germany, besides many other Universities in other countries of Europe. In the United States of America, there are 134 State and privately-endowed Universities. The truth is that University education is no longer regarded in the West as the luxury of the rich, which concerns only those who can afford to pay heavily for it. Such education is now regarded as of the highest national concern, as essential for the healthy existence and progress of every nation which is exposed to the relentless industrial warfare which is going on all over the civilised world.

MORAL PROGRESS.

Enough has been said above to show the need for a University such as it is proposed to establish, to help the diffusion of general, scientific and technical education as a means of preserving or reviving national industries and of utilising the natural resources of India and thereby augmenting national wealth. But mere industrial advancement cannot ensure happiness and prosperity to any people; nor can it raise them in the scale of nations. Moral progress is even more necessary for that purpose than material. Even industrial prosperity cannot be attained in any large measure without mutual confidence and loyal co-operation amongst the people who must associate with each other for the purpose. These qualities can prevail and endure only amongst those who are upright in their dealings, strict in their observance of good faith, and steadfast in their loyalty to truth. And such men can be generally met with in a society only when that society is under the abiding influence of a great religion acting as a living force.

The importance of providing for the education of the teachers of a religion so ancient, so widespread, and so deep-rooted in the attachment of its followers, is quite obvious. If no satisfactory provision is made to properly educate men for this noble calling, ill-educated or uneducated and incompetent men must largely fill it. This can only mean injury to the cause of religion and loss to the community. Owing to the extremely limited number of teachers of religion who are qualified by their learning and character to discharge their holy functions, the great bulk of the

Hindus including princes, noblemen, the gentry, and—barring exceptions here and there—even Brahmans, have to go without any systematic religious education or spiritual ministrations. This state of things is in marked contrast with that prevailing in the civilised countries of Europe and America, where religion, as a rule, forms a necessary part of education; where large congregations assemble in churches to hear sermons preached by well-educated clergymen, discharging their duties under the control of well-established Church Governments or religious societies. But though the fact is greatly to be deplored, it is not to be wondered at. The old system which supplied teachers of religion has, in consequence of the many vicissitudes through which India has passed, largely died out. It has not yet been replaced by modern organisations to train such teachers. To remove this great want, to make suitable provision for satisfying the religious requirements of the Hindu community, it is proposed to establish a large school or college at the University to educate teachers of the Hindu religion. It is proposed that they should receive a sound grounding in liberal education, make a special and thorough study of their own sacred books, and a comparative study of the great religious systems of the world; in other words, that they should receive at least as good an education and training as ministers of their religion as Christian missionaries receive in their own.

Of course, several chairs will have to be created to meet the requirements of the principal denominations of Hindus. How many these should be can only be settled later on by a conference of the representative men of the community. But there seems to be no reason to despair that an agreement will be arrived at regarding that theological department of the University. Hindus have for ages been noted for their religious toleration. Large bodies of Hindus in the Punjab, who adhere to the ancient faith, revere the Sikh Gurus who abolished castes. The closest ties bind together Sikh and non-Sikh Hindu, and Jains and Agrawals who follow the ancient faith. Followers of the Acharyas of different Sampradayas live and work together as good neighbours and friends. So also do the followers of the Sanatan Dharma and of the Arya Samaj, and of the Brahma Samaj. And they all co-operate in matters where the common interests of the Hindu community as a whole are involved. The toleration and good feeling have not been on the wane; on the contrary, they have been steadily growing. There is visible at present a strong desire for greater union and solidarity among all the various sections of the community, a growing consciousness of commonities which bind them together and which make them sharers in sorrow and in joy: and it may well be hoped that this growing feeling will make it easier than before to adjust differences and to promote brotherly good

feeling and harmonious co-operation even in the matter of providing for the religious needs of the different sections of the community.¹⁷

THE CONSTITUTION OF THE UNIVERSITY.

The success of a large scheme like this depends upon the approval and support of (1) the Government, (2) the Ruling Princes, and (3) the Hindu public. The scheme is bound to succeed if it does not fail to enlist sympathy and support from these directions. To establish these essential conditions of success, nothing is more important than that the Governing Body of the University should be of sufficient weight to command respect; that its constitution should be so carefully considered and laid down as to secure the confidence of the Government on the one hand and of the Hindu Princes and the public on the other. To ensure this, it is proposed that as soon as a fairly large sum has been subscribed, a Committee should be appointed to prepare and recommend a scheme dealing with the constitution and functions of the Senate, which shall be the supreme governing body of the University, and of the Syndicate, which shall be the Executive of the University. It is also proposed that apart from these there should be an Academic Council of the University, which should have well-defined functions—partly advisory and partly executive, in regard to matters relating to education, such as has been recommended in the case of the University of London by the Royal Commission on University Education in London. The scheme must of course be submitted to Government for their approval before it can be finally settled.¹⁸

So far as this particular movement for a Hindu University is concerned, it must be gratefully acknowledged that it has received much kind sympathy and encouragement from high officials of Government from the beginning. As one instance of it, reference may be made to the latter of the Hon'ble Sir James La Touche, the late Lieutenant Governor of the U.P., and now a member of the India Council, quoted at the commencement of this note, wherein he said:—"It the cultured classes throughout India are willing to establish a Hindu University with its Colleges clustered round it, they have my best wishes for its success." Several high officials of beginning should be made, which part or parts of the scheme it would be possible and desirable to take up first and which afterwards, and what practical shape should be given to them, can only be formulated by experts advising with an approximate idea of the fund which are likely to be available for expenditure and any general indication of the wishes of the donors. It is proposed that as soon as sufficient funds have been collected to ensure a beginning made, an Educational Organisation Committee should be appointed to formulate such proposals. The

same Committee may be asked to make detailed proposals regarding the scope and character of the courses in the branch or branches that they may recommend to be taken up, regarding also the staff and salaries, the equipment and appliances, the libraries and laboratories, the probable amount of accommodation and the buildings, etc., which will be required to give effect to their proposals.¹⁹

The success of a large scheme like this depends upon the approval and support of (1) the Government, (2) the Ruling Princes, and (3) the Hindu public. The scheme is bound to succeed if it does not fail to enlist sympathy and support from these directions. To establish these essential conditions of success, nothing is more important than that the Governing Body of the University should be of sufficient weight to command respect; that its constitution should be so carefully considered and laid down as to secure the confidence of the Government on the one hand and of the Hindu Princes and the public on the other. To ensure this, it is proposed that as soon as a fairly large sum has been subscribed, a Committee should be appointed to prepare and recommend a scheme dealing with the constitution and functions of the Senate, which shall be the supreme governing body of the University, and of the Syndicate, which shall be the Executive of the University. It is also proposed that apart from these there should be an Academic Council of the University, which should have well-defined functions—partly advisory and partly executive, in regard to matters relating to education, such as has been recommended in the case of the University of London by the Royal Commission on University Education in London. The scheme must of course be submitted to Government for their approval before it can be finally settled.²⁰

At the meeting of the Imperial Legislative Council held on the 22nd March 1915, the Hon. Sir Harcourt Butler moved for leave to introduce the Benares Hindu University Bill. Speaking on the motion Pandit Madan Mohan said :

My Lord, I should be wanting in my duty if I allowed this occasion to pass without expressing the deep gratitude that we feel towards Your Excellency for the broad-minded sympathy and large-hearted statesmanship with which Your Excellency has encouraged and supported the movement which has taken its first material shape in the Bill which is before us to-day. I should also be wanting in my duty if I did not express our sincere gratitude to the Hon'ble Sir Harcourt Butler for the generous sympathy with which he has supported and helped us.²¹

My Lord, I look forward to the day when students and professors, and donors and others interested in the Benares Hindu University will meet on the banks of the Ganges to celebrate the Donors Day; and I feel certain that the name that will stand

at the head of the list on such a day will be the honoured name of Your Excellency, for there is no donor who has made a greater, a more generous gift to this new movement than Your Excellency has done. My Lord, generations of Hindu students yet to come will recall with grateful reverence the name of Your Excellency for having given the start to this University. Nor will they ever forget the debt of gratitude they owe to Sir Harcourt Butler for the help he has given to it.

I should not take up the time of the Council today with a discussion of the provisions of the Bill. The time for it is not yet. But some remarks which have been made point to the existence of certain misapprehensions which might be removed.²²

Objection has also been taken to the provision for compulsory religious education in the proposed University. My Lord, to remove that provision would be like cutting the heart out of the scheme. Many people deplore the absence of a provision for religious education in our existing institutions, and it seems that there would not be much reason for the establishment of a new University if it were not that we wish to make up for an acknowledged deficiency in the existing system. It is to be regretted that some people are afraid of the influence of religion; I regret I cannot share their views. That influence is ever ennobling. I believe, my Lord, that where the true religious spirit is inculcated, there must be an elevating feeling of humility. And where there is love of God, there will be a greater love and less hatred of man, and therefore I venture to say that if religious instruction will be made compulsory, it will lead to nothing but good, not only for Hindu students but for other students as well, who will go to the new University.²³

My Lord, it has also been said that if sectarian Universities must come into existence, we need not carry sectarianism to an extreme. The Hon'ble Mr. Setalvad has referred to the provision in the Bill that in the University Court, which will be the supreme governing body of the University, none but Hindus are to be members. The reason for it needs to be explained. The University has to teach the *Vedas*, the religious Scriptures, and to impart instruction even in rituals and other religious ceremonies which are practised by Hindu. The Bill provides that there shall be two bodies in the institution, the Court and the Senate. The Court will be the administrative body, will deal mainly with matters of finance and general administration, providing means for the establishment of Chairs, hostels and other institution. The Senate will be the academic body, having charge of instruction, examination and discipline of students. Well, membership on the Court has been confined to Hindus in order that Hindus who may make benefactions in favour of the institution should feel satisfied that their charities will be administered by men who will be in religious sympathy with them and in a position to appreciate their

motives and their desires.²⁴

I should like to say one word more with regard to the provision that religious instruction should be compulsory in the case of Hindu students. It has been said that we should not make it compulsory even for Hindu students, as it might keep some Hindu students who do not desire to receive religious instruction, from the benefit of education at the Hindu University. But my Lord, in the first place, the general religious instruction which will be imparted will be such as will be acceptable to all sections of the Hindu community. In the second place, a number of Hindu students at present attend missionary institutions where the study of religion is compulsory. So I hope that even those Hindu students who may not appreciate the teaching of religion, will not be kept away from the proposed University on the ground that religious instruction will be compulsory there.

I do not think, my Lord, that I need take up more time at present. I beg again to express the gratitude that I am sure millions of Hindus will feel towards Your Excellency's Government, and personally towards Your Excellency, and towards Sir Harcourt Butler, when they hear of the Bill which has been introduced here today²⁵

At the meeting of the Imperial Legislative Council held on the 1st October 1915, the Hon'ble Sir Harcourt Butler moved that the Report of the Select Committee on the Bill be taken into consideration. The Hon'ble Pandit, in supporting the Bill, spoke as follows :²⁶

My Lord, it is my pleasing duty to offer my hearty thanks to your Excellency, to the Hon'ble Sir Harcourt Butler, and to the members of this Council for the very generous support extended to this measure for the establishment of a Hindu University. My Lord, the policy of which it is the product is the generous policy of trust in the people and of sympathy with them in their hopes and aspirations, which has been the keynote of your Excellency's administration.

The history of this movement hardly requires to be repeated here. But it may interest some of its friends to know that it was in 1904, that the first meeting was held at which, under the presidency of His Highness the Maharajah of Benares, the idea of such a University was promulgated. Owing, however, to a variety of causes into which it is not necessary to enter here, it was not until 1911 that the matter was taken up in real earnest. From 1911 to 1915 was not too long a period for the birth of a University when we remember that the London University took seven years to be established from the time the idea was first taken up.²⁷

My Lord, in this connection, we must not overlook the work done by my Muhammadan friends. The idea of establishing a Muslim University was vigorously

worked up early in the year 1911 when His Highness the Aga Khan made a tour in the country to enlist sympathy and support for it. Your Excellency was pleased to express your appreciation of the effort so made when replying to an address at Lahore. You were pleased to speak approvingly of the spirited response made by the Muhammadan community to the appeal for a Muslim University recently carried throughout the length and breadth of India under the brilliant leadership of His Highness the Agha Khan.' We are thus indebted for a part of our success to our Muhammadan brethren, for the work which they did as pioneers in our common cause.²⁸

My Lord, I have carefully read the criticisms that have been levelled against the Bill before us, and it is only fair that I should explain the attitude and action of the promoters of the Hindu University. We are very thankful to the Secretary of State for according his sanction to the proposal to establish what have been described as denominational Universities—which marks a new and liberal departure in the educational policy of the Government. But our thanks are due, in a larger measure, to the Government of India who have from the beginning given to the movement their consistent and generous support. In the first proposals which we placed before the Government, we desired that the Viceroy and Governor-General of India should be the Chancellor, *ex-officio*, of the University.²⁹

My Lord, some of my countrymen, who are keenly interested in the proposed University and the educational movement which it represents, have some what misunderstood the position of the Hindu University Society and of the promoters of the University in respect of some of the powers vested in the Visitor. They seem to think that we have agreed to those powers without demur. That is not so. Sir Harcourt Butler knows that in regard to some of these powers, I have almost—I should not say—irritated him, but certainly gone beyond what be considered to be the proper limits in pressing for certain omissions. We have fully represented our views to the Government whenever we thought it proper to do so. But having done our duty in that direction, we have agreed to accept what the Government has decided to give. I hope, my Lord, the future will prove that we have not acted wrongly.

My Lord, I thank God that this movement to provide further and better facilities for high education for our young men has come to bear fruit in the course of these few years. It will not be out of place to mention here that one of the most fascinating ideas for which we are indebted to Lord Curzon, was the idea of a real residential and teaching University in India. I am tempted to quote the words in which his Lordship expressed his ideal of the University which he desired to see

established in this country.

"What ought the ideal University to be in India as else where?" said Lord Curzon. 'As the name implies, it ought to be a place where all knowledge is taught by the best teachers to all who seem to acquire it, where the knowledge is always turned to good purposes, and where its boundaries are receiving a constant extension.'

My Lord, though this noble wish was not realised in the time of Lord Curzon, I am sure he will be pleased to hear that such a University has come into existence—or rather is coming into existence—through the generous support of your Excellency's Government.³⁰

It is still more pleasing to think that the University that is coming to be will be better in one respect than the University outlined by Lord Curzon, because it will make religion an integral part of the education that will be provided. My Lord, I believe in the living power of religion, and it is a matter of great satisfaction to us to know, that your Excellency is strongly in favour of religious education. The want of such education in our schools and Colleges has long been felt. I believe that the absence of any provision for religious education in the otherwise excellent system which Government has introduced and worked for the last sixty years in this country, has been responsible for many unfortunate results. I do not wish to dwell upon them. I am thankful to think that this acknowledged deficiency is going to be removed at the proposed important centre of education, which is happily going to be established at a place which may well be described as the most important centre of the religion and learning of the Hindus.³¹

My Lord, some well-meaning friends have been apprehensive lest we may not agree at the Hindu University as to what the religious education of our youths should be. This is due to a misapprehension. We have, no doubt, many differences among us; we are divided by many secte and forme of worship. Considering that we embrace a population of nearly 250 million, it should not surprise any one that we have so many sects and divisions among us. But, my Lord, in spite of these differences, there is a body of truths and precepts which are accepted by all denominations of our people. For sixteen years and more religious instruction has been compulsory at the Central Hindu College at Benares.³²

I do not think, my Lord, that I should be justified in taking up the time of the Council any further. I once more beg to offer my thanks to your Excellency, to Sir Harcourt Butler and to the Government of India, for helping this University to

come into existence, and I conclude with the earnest hope and prayer, that this centre of light and life, which is coming into existence will produce students who will not only be intellectually equal to the best of their fellow-students in other parts of the world, but will also be trained to live noble lives, to love God, to love their country and to be loyal to the Crown.³³

The existing provision of the law are amply sufficient to effectively prevent as well as to punish any attempt to promote sedition or to disturb the public tranquillity, which might be made by persons who are hostile to Government and whose number is small; that the great bulk of the people are loyal to the core, and are more than ever inclined to co-operate with Government in maintaining law and order; that the policy of conciliation is in these circumstances the only safe and wise policy; that it should be steadily and earnestly pursued; that unless some overpowering causes intervene, nothing should be done which is likely to interfere with the success of that policy. I believe that no such causes demand a continuation of an Act of an abnormal character, which must operate against the return of normal relations between the Government and the people. For these reasons, I beg humbly to oppose the motion which is now before the Council.³⁴

REFERENCES

1. Annie Besant was the founder of the College for higher learning in Banaras. Later on, with the ardent and sincere efforts of Pandit Madan Mohan Malaviya, the Banaras Hindu University was founded. Indeed the University gained splendid progress under his patronage, and guidance. See for details the *Commemoration Volume*.
2. *Ibid.*
3. *Ibid.*
4. *Ibid.*; Also see the Speeches of Annie Besant.
5. *Ibid.*
6. *Ibid.*
7. *Ibid.*
8. *Ibid.*
9. *Ibid.*
10. A comprehensive scheme having deep bearing on Banaras Hindu University was published in July 1911. Pandit Madan Mohan Malaviya was appointed its Vice-Chancellor and remained in that position for more than two decades. He also held the position of Proctor of the University. The first meeting was presided over by the Maharaja of Banaras. (For details see the *Commemoration Volume*.)

11. *Ibid.*
12. The objects of the University were clarified vividly.
13. *Ibid.*
14. *Ibid.*
15. The medium of instruction in the initial stage was Hindi.
16. The need for such a University was emphasised in clear words of the founder and his associates. It was in fact for the moral progress of the younger generation by inculcating the spirit of Indian nationalism.
17. *Ibid.*
18. The constitution of the University was in very clear language.
19. *Ibid.*
20. *Ibid.*
21. Introduction of Banaras Hindu University Bill by Sir Harcourt Butler on 22 March 1915. See the details in Imperial Legislative Council.
22. *Ibid.*
23. *Ibid.*
24. *Ibid.*
25. *Ibid.*
26. Speech of Pandit Madan Mohan Malaviya regarding the Bill proposed by Sir Harcourt Butler. op. cit.
27. *Ibid.*
28. *Ibid.*
29. *Ibid.*
30. *Ibid.*
31. *Ibid.*
32. *Ibid.*
33. *Ibid.*
34. *Ibid.*

Hindu Mahasabha President

Pandit Madan Mohan Malaviya was a sincere worker of the Hindu Mahasabha who presided over its sessions. Undoubtedly he was a staunch Hindu and probably it was the reason that the word 'Hindu' was attached with the name of the University at Banaras.¹ But he was secular in several ways and did not raise the question of caste and creed while he delivered public and official speeches. His addresses will give vent to his feelings thus in Belgaum, Madras, Guwahati and Banaras.²

ALL-INDIA HINDU MAHASABHA³

Belgaum—December 27th 1924

The Special Session of the Hindu mahasabha opened on Dec. 27th in the Congress Pnadal at Belgaum under the presidency of Pandit Madan Mohan Malaviya. The address of the President referred to the necessity of orgainisation of a Hindu proselytizing mission and of focussing Hindu opinion on the question of representation in the Council and the Services. He also touched on the question of untouchability and the Non-Brahmin movement. Attendance was very large and included Gandhi, C.R. Das, Lala Lajpat rai, Shaukat Ali, Dr. Mahmud, Mohamed Ali, Pandit Motilal Nehru, N.C. Kelkar, Hasrat Mohani, Swami Shraddhanand, Dr. Moonje, Maulana Abul Kalam Azad and thousands of delegates.⁴

Rao J. Gangadhar Khote, Chairman of the Reception Committee, said that the special session had been called to consider the position of the Hindu society both politically and socially at that critical juncture. The recent Hindu-Muslim riots and conversion of untouchables into other religious had proved the weakness of Hindus and Hindu society. To remove these grave short-coming the Mahasabha had been organised.⁵

The Presidential Address

Pandit Malaviya in delivering his presidential speech pleaded justification for the creation of the Sabha and explained its scope. He said the Mahasabha came into existence only a few years ago. There were some who considered it a departure from the right path and thought that as a communal organisation it was likely to clash

with the national organisation of the Congress. Pandit Malaviya dispelled that suspicion. It would be a shame if any Hindu opposed the National Congress. Their object was to supplement and to strengthen the Congress. The Necessity for organising the Mahasabha had arisen because the Congress being a political body could now deal with questions which affected various communities in social and other non-political spheres. In this country they had more than one culture. Muslims cherished their own culture. Hindus must cherish their own and preserve it and spread it. Political problems were ephemeral; they come and go as Empires were built up and disappeared. But the culture of a people, their social institutions, their literature and art, were of durable value and must be preserved. He wished with all his heart that Hindus and Muslims studied each other's culture to appreciate each other better. Hindus must preserve and popularise their culture as Muslims were doing. On this platform had met Hindus, Sikhs and Buddhists who had inherited a common culture. Where, he asked, could they find a common platform to unite all these factors in Hindu society except on the platform of the Mahasabha?

Referring to the recent Hindu-Muslim riots, Pandit Malaviya said he was convinced that but for the weakness and cowardice of Hindus some of them could have been averted. These disturbances had created a situation of national importance. It was therefore a national necessity that the weakness of Hindus which had brought about some disturbances should be removed. What were the causes which brought about that weakness? Firstly, Hindus had forgotten the tenets of their religion. These must be spread. Secondly they were physically weak. This was due mainly to deterioration in the system of marriages. Nowhere in the world marriage had been placed on a higher basis than in India where no one could marry before 25. Now they found child-widow. This state of affairs must disappear as it had weakened the community physically. To remove such social evils, where could they find a better platform than as the Mahasabha?⁶

Then again there was the dispute about possession of the Buddha Gaya Temple. A Buddhist friend had come from Ceylon to attend their meeting. The question of management of the temple was for decision between them and the Buddhists, and where was a more competent body than the Mahasabha to deal with such questions and settle them amicably?

Then there were questions about Non-Brahmins and Untouchability. Unfortunately by the introduction of the Montagu-Chelmsford Reforms there had occurred divisions and groups were no one suspected they would occur. Both Brahmins and Non-Brahmins were inheritors of a common culture. They should

have lived like brothers. Brahmans should value ability and skill wherever it was found. Indeed the Brahmins's reverence and worship of Rama, Krishna and Buddha who were not Brahmins showed that Brahmins did not hesitate to worship ability wherever it was found. He was sorry that for a few loaves and fishes of office, and even a few Ministerships which were trifles before the question of unity amongst Hindus, the split had occurred. They should rejoice in each others's happiness and strength and there was no occasion for quarrel unless a man's vision was perverted, vitiated and diseased. Was not Mahatma Gandhi a Non-Brahmin and was it not that no man had roused greater homage of the country than Mahatma Gandhi? He appealed to his Brahmin and Non-Brahmin friends to remove misunderstandings, and what better platform was there than was offered by the Mahasabha?⁷

As for the position of the untouchables, he thanked Mahatma Gandhi for the great impetus he had given to the movement. The speaker said, leaving aside the political side of the swelling census figure, they owed a duty to their brether untouchables who were common inheritors of their civilisation and culture and were part of Hindu Society. The Mahasabha had voted in fovour of their admission to schools, permission to them to draw water from public wells, and to have Darshan at temples, but as the Mahasabha believed in non-violence and to kill sentiments and prejudices by love and not force, it had also laid down that, where this was not possible at present, new institutions, wells and temples be built for untouchables.⁸

Continuing Pandit Malaviya said that for centuries Muhammadans had been converting Hindus and the majority of the Muslims of India were converts. Numerous Christian Missions were also carrying on a campaign of proselytisation. Hindu Shastras had also enjoined on them to spread their knowledge among others, but this duty they had hitherto neglected and only his Arya Samaj brethren has done something in this direction. Therefore the question of having a Hindu Mission for proselytisation had become a very pressing necessity in the situation created in this country by the activities of Muslim and Christian Missions.

There was another aspect of the problem which had assumed importance. The Muslim League was putting forward a demand on behalf on Muslims in the matter of communal representation in all elected bodies and services. The speaker recalled that in 1906 Sir Ibrahim Rahimtullah, presiding over the League, had indicated that communal representation would be required only for a very short time. The Lucknow Pact was later on concluded. He was entirely opposed to communal representation in national interests, but they could not give it up until Mohammedans voluntarily agreed to its abandonment. He was grieved to find communal feeling intensified by this representation. "I consider that a national

Government and a communal administration are impossible. They cannot exist together. If communalism dominates the affairs of the country to the extent to which it is dominating the affairs of this land, I feel upon all consideration that it would be wrong to the country to have a full system of national Government established in India. I do not believe communalism and nationalism can co-exist. One must disappear before the other comes in."⁹

Continuing, Pandit Malaviya said now that the question of communal representation was being raised by Muslims, the Hindu Maha Sabha's work lay in focussing Hindu opinion on this question and to voice it when anybody undertook to discuss the question with a view to reconcile the interests of both communities. Concluding Pandit Malaviya put in a strong plea for unity and asked all Hindus and Muhammadans to become Nationalists to the core.

RESOLUTIONS

Next day, Dec. 28th, the Maha Sabha met to pass resolutions. A resolution was moved by Satyamurti to appoint a committee "to ascertain and formulate Hindu opinion on the subject of Hindu-Muslim problems in their relation to the question of further constitutional reforms." This was passed.

Lala Lajpat Rai was the Chairman of this Committee and three Hindu representatives from every province were elected to form it. They include Raja Sir Rampal Singh, Chintamani, Raja Narendranath, Dwarkanath, Babu Rajendra Prasad, Dr. Moonje, Mr. N.C. Kelkar, M.R. Jayakar, T. Prakasam, Satyamurti, C.R. Reddy, Karnadikar, Rai Yatindranath Chowdhuri and Jairamdas Doulatram. The total membership was 23.¹⁰

Satyamurti explaining the scope of the resolution said that it was for the first time giving a distinct political orientation to the activities of the Hindu Maha Sabha. The Sabha would not only be confined to the social and religious uplift of Hindus, but would also focus and express Hindu opinion on political problems. In fact, at the present stage of political evolution of the country the best contribution Hindus could make to the commonweal was by organising themselves politically, openly and deliberately. Today the fact was that Hindus, though strongest in numbers and the inheritors of a great civilization and doing everything which made for culture, were the weakest and the most disorganised. He believed after his enquiries in Malabar that the extent of the Moplah rebellion was largely due to Hindu cowardice and that despite all pious resolutions Hindu-Moslem unity would not be achieved unless Hindus organised themselves, reclaimed untouchables, and all stood shoulder to shoulder. The distressing fight between Non-Brahmins and

Brahmins for loaves and fishes would stop if Hinduism was revived and all knew that they had equal rights as Hindus. Some said that the organisation of the Maha Sabha was creating distrust among Muslims. There was no ground for this suspicion. On the other hand, the Hindu Maha Sabha would set an example that communalism could be reconciled with nationalism. "We shall be showing how can produce nationalism out of our communalism. We shall be showing to various organisations in India how to subordinate communalism to a higher, nobler and more inspiring ideal of nationalism." There was the question of communal representation. It was an evil day for India when they agreed to this form of representation. Lucknow Pact was an unfortunate blunder. It sowed the seed which had now resulted in all Muslims, Non-Brahmins Depressed classed and other communities demanding separate representation. All wanted to promote the interests of their communities but non cared for the nation. Of course they could not give it up until the Muslims agreed. It was thought by its framers that the Lucknow Pact was the last word of the subject. Now the demand was put forward for its revision. He was glad to find that Dr. Kitchlew as president of the Khilafat Conference had favoured at mixed electorate which would remove the greater part of the evil of today. The Mahasabha must formulate the Hindu demand on the matter of such representation and the proposed committee would tour all over India and report. The Congress did not express that. Muslims, he said, at the recent occurrences had roused the communal feeling of Hindus and unless progressive leaders led it in the right direction there was the danger of the Mahasabha falling into reactionary hands who might stand in the way of national progress.

Nepal's Independence

The next resolution moved from the chair expressed deep satisfaction on the recognition of independence of Nepal by the British Government. The Conference also congratulated the Maharaja of Nepal's Government for its noble decision to completely abolish the system of slavery in his kingdom. The President was authorised to send the resolution to the Prime Minister, Nepal. Pandit Malaviya said Nepal was now the only independent Hindu State in the world and they should therefore rejoice at it. The resolution was carried.

Kohat Riots

T. Prakasam moved a long resolution about Kohat. It expressed grief at the loss sustained by Hindus and Muslims in life and property, the burning of about 473 houses and shops, the desecration or destruction of many temples and Gurdwaras which compelled the entire Hindu and Sikh population to leave Kohat and to seek

shelter in Rawalpindi and other places in the Punjab. The resolution stated that though local authorities were previously informed of the impending danger, they failed to take steps which were necessary to prevent the disturbances and, after it had begun, to quell it, to arrest offenders and to recover looted property, though they could have easily nipped the evil in the bud with the help of small force of non-Mohammedan sepoys or soldiers from the adjoining Cantonment. The Conference thought that the local administration had shown lamentable want of sympathy with the sufferings of penniless and homeless refugees and had been incompetent in dealing with the situation which largely accounted for no reconciliation having been brought about so long between Mohammedans and Hindus of Kohat. The Conference regretted that the Government had accepted the findings of a junior Magistrate on a matter of such grave importance who did not examine Hindus, and that they arrived at conclusions on such findings which were grossly unjust to Hindus.

"The Conference opines that the character of the occurrence demands an independent public enquiry by a committee which would command public confidence and would recommend measures necessary to restore the sense of security among Hindus and compensate them.

"The Conference regrets that the Frontier Government has coerced prominent Hindus of Kohat by arresting them to agree to reconciliation without satisfactory terms being settled, and on the failure of negotiations for which representatives of Kohat Hindus say they are not responsible, it has ordered the arrest and re-arrest of a number of prominent Hindus and Sikhs.

"The Conference urges the Viceroy to release these men of position on bail and to transfer their cases for trial to the Punjab. The Conference appeals for subscription towards the Kohat Refugees' Fund to be remitted whether to the Punjab National Bank, Lahore, or to the Central Bank of India, Lahore, towards the Hindu Sabha Kohat refugees Relief Fund."

Prakasam narrated his experience of Hindu-Moslem riots in various places like Multan and Saharanpur which he had visited. After Kohat he saw no alternative but to join the Mahasabha.

Lala Lajpat Rai speaking on this resolution made general observations about the position of Hindus, their past greatness and present degradation. He said he had travelled over almost all countries of the world where modern civilization flourished and after close examination he had come back with the conviction that Hindu culture and Hindu ideals were infinitely superior to that of any other nation in the world. This did not mean that Hindus today were praiseworthy. Hindus had totally

degraded themselves and fallen from their ideals and it was because of that that tragedies like Kohat were befalling them. He said the Hindu code of war prohibited attack on children, on women, on the aged, on the unarmed and on the non-combatant. The laws of wars of no other nation were so high. Culture was not judged by wealth or by weapons at the command of a nation, but by its ideal of humanity and its human laws. In this respect the Hindu civilization was the highest and it was this civilization which they inherited, but from which they had fallen. Hindus with a feeling of chivalry and justice were prepared to be quite fair to all communities.

Touching Kohat he asked whether, even admitting that Hindus were at fault, their fault was such that it deserved the punishment inflicted on them. Turning his face towards the dais where Mahatma Gandhi was seated, he said he did not mind whatever concessions Mahatma Gandhi might give to the Muslim community. That did not hurt him, but he appealed to Mahatma Gandhi and others to save Hindus, the inheritors of a great civilization, from the death which threatened them.

Swami Shraddhanand said the blood of Kohat had shaken Hindus all over. The time was not for talk but for work. He for one had decided to go and for a month to spread the beds of Kohat refugees and serve them thereby. Impassioned appeals were made by him and Lala Lajpat Rai for funds for relief to which many responded.

Other Resolutions

Pandit Malaviya put several resolutions from the chair which were carried. These included a prayer to the Maharani of Travancore to permit the untouchables the use of public roads about which Vykom Satyagraha was going on, because those roads were already open to men of other religions and to those untouchables who had become converted to other religions.

A other resolution condemned the Gulbarga riots and hoped the Nizam would ensure protection in future and build the temples desecrated.

One resolution urged Brahmins and Non-Brahmins to remove mutual misunderstandings and to become united as part of the Hindu community, brothers in the inheritance of a great culture.

A resolution moved by Dr. Moonje asked Hindus to start Hindu Sabhas all over the country with a view to improve themselves socially and religiously and also to safeguard their political rights.¹³

A resolution was also passed by the Conference offering condolence on the deaths of the Maharajah of Travancore, Sir Ashutosh Mukerjee, Sir Subramania Iyer, Kanhayalal and others.

Hindu Organisation

The following resolution was passed endorsing the view taken up by the Maha Sabha at the previous Benares and Allahabad sessions:

“Resolved that this Conference supports the resolution passed at the Benares and Prayag sessions of the Hindu Mahasabha and appeals to all Hindus:

- (1) To work, so far as it lies in their power, in friendliness and harmony with the other communities in all matters of common national interest;
- (2) To promote both religious and secular education among boys and girls of all classes of the community combined with the due observance of the time-honoured system of Brahmacharya and physical culture;
- (3) In any even as a rule not to perform the marriages of girls before the age of 12 and of boys before the age of 18;
- (4) To organise Samaj Seve-Dals or Social Service Leagues for the service of the community which should co-operate whenever possible with members of other sister communities in maintaining peace;
- (5) To study the Hindu language and specially the Nagari characters in which all sacred Hindu scriptures are primarily written;
- (6) To take every lawful step to protect laws;
- (7) To promote the use of Swadeshi cloth and preferable of hand-spun hand-woven Khaddar;
- (8) To organise rathas and satangs in every Hindu Mohalla or ward for religious instruction;
- (9) To take all reasonable steps for the education and uplift of those Hindu brethren who are regarded as the depressed classes;
 - (a) By encouraging the admission of their children to public schools which are open to other children of the followers of other religions also and, when necessary, by establishing separate schools for them;
 - (b) By removing, with the consent of other residents of the locality, the difficulties in the way of the members of the depressed classes from using public wells and when necessary by having special wells dug for their use; and
 - (c) By appealing to the adhikaries or managers of temples to offer them, when it may be feasible in conformity with the “maryada” of the institutions, opportunity for gratifying their laudable desire for Devadarshan.

The Conference also draws the attention of the Hindu public to those Shastric authorities according to which no 'Sparsadosh' is incurred on the occasion of pilgrimage, festivals, marriages on boats during war and similar other occasions.

Pandit Madan Mohan Malaviya mentioned that he had received a suggestion just then that a committee be appointed to consider the Brahmin and Non-Brahmin dispute and another suggested that they should express their opinion about the Madras Religion Endowments Bill. Pandit Malaviya and Gandhi were about to meet in the pandal. These questions would be discussed at the normal annual session of the Maha Sabha next March at Calcutta.¹⁴

The Conference then concluded amidst cheers.

THE ALL INDIA HINDU MAHASABHA¹⁵

The special session of the All India Hindu Mahasabha met at the Congress Pandal Madras, On the 29th December at 2. p.m. Pandit Madan Mohan Malaviya presiding.

Srinivasa Iyengar in proposing Pandit Malaviya to the presidential ... said that Pandit Malaviya had made the Hindu Sabha movement his own. The Sabha was a power in Norther India Panditji is the leader of the Sanatana Hindustan. He, the speaker, considered that the accession of the Panditji to the presidentship of this session was the removal of untouchability from this province. The removal of untouchability could not be done by legislation or by the Congress. The Hindu Sabha alone could do it. The Panditji had helped a good deal in the National Congress to find a solution for the Hindu-Moslem problem. The Sabha was not antagonistic to Mahammadan interest. No one was better fitted to occupy the presidential chair than Panditji. He, the speaker, was sorry to announce the death of Hakim Ajmal Khan who had been ill for some time past. The A.I.C.C passed a resolution of condolence this morning. A similar resolution would, he said, be passed here also. Hakim Ajmal Khan had laboured hard to being about the Hindu-Muslim unity.

The Motion was seconded by C.V. Venkatramana Iyengar, supported by Kumar Gangananda Sinha and carried with acclamation.

Pandit Malaviya then addressed the Conference first in Hindi and than in English. He explained the objects of the Sabha and appealed to all sections of the Hindus to be united.

Pandit Malaviya's Address

Ladies and gentlemen, I am very deeply grateful to you for having elected my to preside over this special session of the Hindu Mahasabha. I take this opportunity

to put before you some of the ideals which the Hindu Mahasabha has for its existence and to ask to cooperate in carrying out these ideals. I wish you to remember that this Hindu Mahasabha was never brought into existence as a communal organisation to fight against any community. It is national to the core. Nationalism is as much the creed of the Hindu Mahasabha as Hinduisim itself. The main object of the Sabha are (a) to promote greater union and solidarity among all the section of the Hindu community and to unify them closely as parts on one organic whole and (b) to promote good feelings between the Hindus and the other communities in India and to act in a friendly way with them with a view to the attainment of a united self-governing Indian nation. You will see from these objects that they are not and national but entirely consistent with the national aim. Ever since its inception up to date, not a single resolution has been passed by this Sabha which any reasonable man who has any sense of nationalism in him can take exception to. India is the home of the various communities, and Hinduism teaches you to pray for the prosperity and well-being of all the communities, not of one particular community alone. You should act in such a manner as to create harmony between the various communities which will lead the country to a position of power and prosperity. The Hindu Mahasabha does not ask you to exercise your political rights but it tells you what you should do in matters of a socio-religious character.¹⁶

The Hindus are ask to look after the education of their children under the Hindu faith just as Christian are looking after the education of their children under the Christian faith and the Muhammadans under the Muslim faith. The Hindus are also asked to look after their own classes of worship in temples. Are not Christian missionaries in India labouring in different fields for the benefit of the people of this country although they are foreigners. The Mussalman preacher (Mullah) considers it his duty to make the principles of his religion known not only to Muslims but also to Non-Muslims so that, they may, if convinced, adopt the Muslim faith. The Christian missionary does the same thing. You do not expect the Mohammedan Mullah or the Christian missionary to look after the Hindu religion. Therefore the Hindus should have their own organisation to look after their socio-religious matters. This is what the great Sri Sankracharya and Sri Ramanujacharya did. Since the advent of the British rule, owing to the glamour of British civilisation, our people and children know more of the Bible and the sermons preached by the Christian missionaries than their own religion, their own Sastras, and Vedas and commentaries. There should be an organisation like the Hindu Mahasabha to do these things. Mr. Srinivasa Iyengar just now told you that the necessity for such an organisation does not exist in this presidency. I regret to say that I widely differ

from my esteemed friend. On the other hand, it is more needed in this presidency than in any other part of the country.¹⁷ The teachings of Sri Sankaracharya, Ramanujacharya and Madvacharya can be popularised in this presidency as you have a good number of learned men in Sanskrit. Just as Christians have institutions to protect orphans and widows, you should also have similar institutions. In Christian schools, Bible classes are compulsory whereas in a Hindu school, religious classes are not compulsory. Hinduism always expects you to adopt an attitude of justice and truth. Do not waste your time in unnecessary discussion over the question as to whether your descent is Aryan or Dravidian. The Brahmin-Non-Brahmin question is, I understand, very keen in this presidency. So far as I know, the division, Brahmin-Non-Brahmin, does not find any place in the Shastras. Our daily national prayer is that all men to whatever community they may belong should flourish on this earth. I appeal to you, Brahmins and Non-Brahmins, to desist from this unsastraic attitude and re-establish brotherly feeling towards one another. If you cannot give up this quarrel, you can never attain freedom and liberty. Your communal controversy has resulted in making you look like a flock of sheep without a shepherd.¹⁸

Coming to the question of untouchables I am aware that Madras has made great progress in recent years in this respect, but there yet remains more to be achieved especially in the matter of the entry of the so-called untouchables into temples for worship. Every man has got a right to worship God. I appeal to you to remove this disability and the Mahasabha has this question of the removal of untouchability as one of its objects. In Benares, untouchables freely enter the temple of Viswanath and worship God. In the Rama mandir at Ayodhya, the Mahant has not the least objection to the untouchables entering the Mandir.¹⁹ Bagavad-Gita says that the moment a man utters the name of God, he becomes pure. I can multiply instances, where untouchables freely enter places of worship along with higher classes. The mere fact that a man is an untouchable does not disentitle him to enter the temple and worship God, if he is pure in mind. God accepts his prayer and he should therefore be allowed to worship God in temples. God welcomes the man who is morally pure more than the man who is physically pure.²⁰

RESOLUTIONS

Hakim Ajmal Khan's Death²¹

The condolence resolution touching the death of Hakim Ajmal Khan was put from the chair and carried:—"The Hindu Sabha places on record its profound sense of loss which the country has sustained in the sad and sudden death of Hakim Ajmal Khan whose services to the country in the field of medicine and politics are too well

known to require a mention and offers its deep sympathy to his son Hakim Mohamed Jamial Khan and other members of his family."

Boycott of Simon Commission²²

The following resolution regarding the boycott of the Simon Commission was moved by Mr. C. Vijiarghavachariar, duly seconded and supported and carried.

"The Hindu Maha Sabha in this special session assembled records in consonance with the strong general feeling of the country its emphatic condemnation of Government in the matter of appointment of the Statutory Commission in violation of the fundamental rights of self-determination and self-government of the people of this country and in defiance of their demands in this connection and is of opinion that this action of the Government is a violation of the promises and pledges made from time to time especially during the great war in appreciation of the great service and immense sacrifices made by this country in the hour of the peril of the Empire and as such it is nothing short of studied insult to the nation.

REFERENCES

1. He was a staunch Hindu, of course with an ardent tinge of secularism in his mind and heart. He was a supporter of Hindu-Muslim unity.
2. *Ibid.*
3. Though a staunch Congressman till his death, he took social advantage on the Hindu Maha Sabha forum.
4. See his Speeches and Writings.
5. *Ibid.*
6. *Ibid.*
7. *Ibid.*
8. *Ibid.*
9. *Ibid.*
10. Significant Resolutions passed at the session. See N.N. Mitra, Indian Annual Register.
11. *Ibid.*
12. *Ibid.*
13. Lala Lajpat Rai and Swami Shraddhanand spoke on the Kohat Riots.
13. Dr. Moonje requested the Hindus to start Hindu Sabhas all over the country. See N.N. Mitra, op. cit.
14. *Ibid.*

15. The Madras session was historic in contents, Malaviya emphasised development of education among the Hindu children.
16. For details see his speech at the Madras Session.
17. *Ibid.*
18. *Ibid.*
19. *Ibid.*
20. *Ibid.*
21. Resolutions passed.
22. *Ibid.*

Participation in Freedom Movement

I

Malaviya wanted to study for the M.A. examination but poverty compelled him to earn his living. He was appointed as a teacher in his old school on forty rupees a month and soon became popular among his pupils. Public life, however, had a great attraction for him. As there were no rules in those days preventing Government servants from attending political meetings, he attended the second Congress session held in Calcutta in 1886 with his Sanskrit Professor, Pandit Aditya Ram Bhattacharya, and delivered a speech which held the audience spellbound. A.O. Hume, the General Secretary of the Congress, made a very appreciative reference to it in his annual report. Soon after his return from Calcutta he was offered the editorship of the Hindi weekly, the *Hindustan*, on Rs. 200/- a month by Raja Rampal Singh, an enlightened Taluqdar of Oudh who formed a high opinion of Malaviya after listening to his Calcutta speech. Malaviya accepted the offer and edited the paper from July 1887 to the end of 1889, during which period it was converted into a daily. Raja Rampal Singh continued to give him Rs. 100/- per month even after he left the paper and became a lawyer. He was also the editor of the weekly, the *Indian Union*, which was started by Pandit Aditya Ram Bhattacharya, from 1885 to 1890. Pandit Ajodhya Nath, who was the leading political figure in the U.P., took charge of it in 1891. After his death in January 1892, it was amalgamated with the *Advocate*, Lucknow.¹

Malaviya wanted to devote himself entirely to the service of the country. The legal profession did not attract him, but on the advice of Hume, Pandit Ajodhya Nath, Raja Rampal Singh and others, he began to study law in 1889 and passed the LL.B. examination in 1891.²

With few exceptions Malaviya regularly attended the annual Congress sessions from 1886 to 1946. In 1887, he invited the Congress to Allahabad, where it met in 1888 under the leadership of Pandit Ajodhya Nath, who was the Chairman of the Reception Committee. During the session great enthusiasm prevailed among the delegates and its success was phenomenal. Malaviya was the Secretary of the

Committee. He invited the Congress to Allahabad again in 1892, and its success was largely due to his devoted efforts. In the Congress sessions he spoke generally on the political subjection of the country, the poverty of the masses owing to the British economic policy and the monopoly of the higher posts by officers recruited in England. On account of his services to the Congress he was elected its president in 1909, 1918, 1932 and 1933, but owing to his arrest by the Government of India, he could not preside over the 1932 and 1933 sessions which had been banned. Perhaps, he tried to popularise the national cause more than many other leaders. Pattabhi Sitaramayya has said of him in his 'History of the Congress' that in the dark days of 1932, "In all moments of doubt and difficulty, it was to him that the Congress workers turned and were never disappointed."³

Although he was a strong supporter of the Congress he founded the Hindu Mahasabha in 1906. It was established, according to its supporters, to oppose not the just claims of the Muslim community but the 'divide and rule' policy of the British Government.

Malaviya became a High Court Vakil in 1893, but the litigants began to approach him even while he was studying law. Cases began to pour in from the commencement of his legal career. His fame as a lawyer spread quickly through the province, but though he had to look after a large family the prospect of becoming a prosperous lawyer held no attraction for him. He always gave preference to public work over his legal work. Not unoften he sent his would-be clients to other lawyers. He practically suspended his legal practice in order to collect funds for the MacDonnell University Boarding House which was built in 1903. He virtually withdrew from the legal profession in 1909, but he made an exception in 1922 in regard to the appeal of 225 persons condemned to death in connection with the Chauri Chaura riots (Gorakhpur District, U.P.) an account of which Mahatma Gandhi suspended the civil disobedience movement, and saved 153 accused from the gallows.⁴

Malaviya's zeal for public work made him realise the necessity of starting newspapers, particularly in Hindi, for the education of the public. He started the *Abhyudaya* as a Hindi weekly in 1907 and made it a daily in 1915. He also started the *Maryada*, a Hindi Monthly, in 1910, and when questions relating to the peasants of Oudh came to the fore, the *Kisan*, a Hindi monthly, in 1921. He started the *Leader*, an English daily, on 24 October 1909. He was mainly responsible for the collection of the funds needed to keep the papers alive. Both the *Abhyudaya* and the *Leader* rendered valuable service to the cause of national freedom for nearly half a century. He was the Chairman of the Board of Directors of the *Hindustan Times*

from 1924 to 1946.⁵

In consequence of the active work that he did as Senior Vice-Chairman of the Allahabad Municipality, he was elected to the Provincial Legislative Council in 1902.

In view of the non-cooperation movement started by Mahatma Gandhi in 1920, he did not seek election to the Indian Legislative Assembly in 1921. But he was a member of the Assembly from 1924 to 2 April 1930. He resigned shortly after the salt satyagraha started by Mahatma Gandhi and took part in it. During this period he was as active a legislator as he was before. He opposed the grant of concessions to the I.C.S. recommended by the Lee Commission in 1924. He supported the demand for the grant of full Dominion Status to India put forward by Pandit Motilal Nehru the same year. Because of his dissatisfaction with the existing constitutional position he voted every year against the Finance Bill. In 1928 he supported the demand that the Assembly should not co-operate with the Indian Statutory Commission (Simon Commission). He was invited to the Round Table Conference in 1931, but he inevitably returned dissatisfied with the attitude of the British Government.⁶

There were several well-known writers of Hindi during the latter part of the 19th century; for instance, Bharatendu Harish Chandra, Raja Shiva Prasad and Balmukund Gupta. Because of this there was some cultural awakening among the Hindus at the time. Malaviya also wrote poems and articles in Hindi when he was young and valued Hindi as a means of educating the masses. In those days the language of the courts in the U.P. (then called N.W.P.) was Urdu. Malaviya advocated the use of the Devanagari script along with that of the Persian script in the courts. He submitted a well-reasoned memorial about it, after three years of research, in 1898 to the Lieutenant-Governor, Sir Anthony Mac-Donnell, who accepted the memorialists' request. This led unfortunately to no little agitation by the Muslims against the Lt.-Governor's order on the use of Hindi in the district courts. It must, however, be said in fairness to Malaviya that he was never hostile to Urdu. In fact, he used to say that a man who knew Hindi should know Urdu and English also and he taught his son, Govind, Urdu while both of them were in jail. His speeches could be equally well understood by those who knew either Hindi or Urdu.⁷

Malaviya was a conservative in social matters. He believed in the 'Varnashrama dharma' (caste system). He was, however, prepared to adjust himself to social changes in the country to a limited extent, but wanted to take the leaders of the

Hindu community and the Benares pandits with him in matters of social reform. He felt strongly the injustice done to the depressed classes in connection with temple entry and pleaded their cause before the pandits in 1936 and took out a procession in favour of temple entry which was joined by the well-known pandits of Benares and the members of the depressed classes. In the twenties he persuaded the pandits of the Oriental Faculty of his University to agree to the reclamation of those members of the depressed classes who had been converted to other religions and began their 'shuddhi' (purification) himself by making them recite the mantra 'Shri Ram, Jai Ram, Jai Jai Ram' after a bath in the Ganges. He also favoured the raising of the position of Hindu women. In her contribution to the 'Mahamanya Malaviyaji Birth Centenary Commemoration Volume', 1961 Raj Kumari Amrit Kaur has said "that while Malaviyaji never took food or drank water from the hands of anybody except a Brahmin of his own caste—in other matters of social reform he was most progressive and I was specially drawn to him by his indignation at the many disabilities from which Indian women suffered." He was in favour of inter-marriages between different groups of the Brahmin caste and one of his granddaughters was married during his lifetime to a Brahmin boy outside the Malaviya fold.

Malaviyaji's education as a child and his home influences determined the development of his mind and character. He firmly believed in Hindu dharma and loved our ancient culture. He read the Bhagvat or the Bhagavat Gita every morning and had shaped his life in accordance with the dictates of Hindu dharma. Purity, truth, tolerance and regard for the interests of all irrespective of their religion characterised his early life. In his attachment to truth and simplicity and his sacrifice for the cause of Indian freedom he could compare with Mahatma Gandhi himself.

His schemes always had a large element of idealism in them, but he never lost sight of the realities of the situation. Many leaders, including Gopal Krishana Gokhale, regarded him as highly impractical when he said he wanted to appeal for a crore of rupees for the Hindu University, but he actually collected as much as 155 lakhs by 1939.

He occupied a very high position in Indian public life and his public activities were numerous. The freedom struggle, the economic development of the country, promotion of indigenous industries, education, religion, social service, the development of Hindi and other matters of national importance continued to occupy his attention as long as he lived. He was the President of the All India Seva Samiti from 1914 till 1946. C.F. Andrews has rightly said, "No one, not even Mahatma

Gandhi himself is dearer to the vast majority of the Hindu public. He has also a great record of devotion to the public national service which places him very high indeed among those Indian leaders who are still living in our own times.”⁸

He was easily accessible and helpful even to the humblest Indian. Even when he could give no help he comforted the sufferers from injustice by listening patiently to their grievances and saying a few words of sympathy. The appeal of poor students, whether Hindu or Muslim, for financial help to complete their education always touched a responsive chord in his heart, and not unoften he went beyond the University regulations to help them. A Muslim student once complained to him of the unsatisfactory messing arrangements in his hostel. Malaviya was greatly pained to hear this and said, “My kitchen is always open to you.”

His personal life was very simple. He was always dressed in immaculate white and was appreciatively called ‘the spotless Pandit’ by Sir Guy Fleetwood Wilson, who was Finance Member of the Viceroy’s Executive Council, partly during the time of Lord Minto and partly during that of Lord Hardinges. He was known for his gentleness and humility but he did not yield where principles were concerned. He had the courage to differ more than once from the Mahatma even at the risk of becoming unpopular. He opposed, for example, the boycott of schools and colleges, the burning of foreign cloth and the boycott of the visit of the Prince of Wales in 1921. It will be true to say that he considered responsive co-operation a better policy than civil disobedience.⁹

He was a great source of inspiration to millions of people. His precepts and practice awakened their national consciousness and their sense of duty to their country. Tagore indulged in no exaggeration when he said of him, “Your clarion call has awakened many parts of the country and devoted heroes are gathering round you. May your exhortations touch the heart of everybody and stir him to action.”¹⁰

II

Through his several articles and editorials in *Abhyudaya*, he criticised the policy of the Raj i.e. the policy of divide and rule and favouring Muslims in the matters of services. He was much critical of the partition of Bengal and the implications of the Minto-Morely reforms. Time and again, he asked the Government to work for Hindu-Muslim unity. He was much critical of separate electorates and to this effect he sent representations to the Viceroy. When he could not receive a proper reply, he thought it proper to organise a forum of all-India stature which should defend the basic rights of the Hindus. He, therefore, became one of the founders of the Hindu Mahasabha. At the Hindu Conference convened at Banaras in 1916, he put forward a comprehensive programme for the fundamental rights of Hindus.¹¹

Malaviya was much critical of the atrocities of Moplahs in the Malabar region. The Moplahs fell upon the Hindus when the latter chose to keep aloof from the khilafat agitation "murders", forcible conversions and arson took place on mass scale which continued for a few months. This ghastly tragedy shocked Malaviya and though he could not visit Malabar, a few Pandits of Banaras, under his influence, gave the decision that the victims of forcible conversion might be readmitted to Hinduism after a token explanation. In this regard Malaviya gave vent to his feelings by his writings in *The Leader*.¹²

In 1922, there occurred another Hindu-Muslim riot in Multan. This time the Congress appointed a Committee of three members, viz., Malaviya, Rajendra Prasad and Hakim Ajmal Khan who visited Multan to take stock of the situation. Malaviya was shocked to see the horrible condition of Hindus in Multan. Many of them lost lives and their property was looted. He addressed a public meeting there and impressed upon the Hindus the need for unity with a view to resisting attacks on their lives and property.¹³

He was a staunch Congressman and its contribution in the cause of the freedom struggle is unique in our history. Throughout his long political career he responded well to several political situations that came in his way. He proved a bridge between the Moderates and the Extremists. He of course had differences with the Congress programme after 1919 but he attended its sessions regularly.¹⁴

He was against the policy of boycott of educational institutions and did not want that students should suffer by giving up their studies by adopting the policy of boycott. Thus he did not hesitate in giving vent to his feelings freely when such a moment came in his life.¹⁵

LEGISLATIVE COUNCILS TENTATIVE SUGGESTIONS

In supporting the following resolution of the second Indian National Congress held at Calcutta in 1886 Madan Mohan Malaviya said:

That this Congress is of opinion that in giving practical effect to this essential reform, regard should be had (subject to such modifications as, on a more detailed examination of the question, may comment themselves to the Government) to the principles embodied in the following tentative suggestion:

- (1) The number of persons composing the Legislative Councils, both Provincial and of the Governor General to be materially increased. Not less than one-half the Members of such enlarged Council to be elected. Not more than one-fourth to be officials having seats ex-officio in such Councils and not more than one-fourth to be members, official or non-official, nominated by Government.

- (2) The right to elect Members to the Provincial Councils to be conferred only on those classes and members of the community. *Prima facie* capable of exercising it wisely and independently. In Bengal and Bombay, the Councillors may be elected by the Members of Municipalities, District Boards, Chambers of Commerce and the Universities, or an electorate may be constituted of all persons possessing such qualifications, educational and pecuniary, as may be deemed necessary. In Madras, the Councillors may be elected either by District Boards, Municipalities, Chambers of Commerce and the University, or by electoral Colleges composed of Members partly elected by these bodies and partly nominated by Government.
- (3) The elected Members of the Council of the Governor-General for making laws, to be elected by the elected Members of the several Provincial Councils.
- (4) No elected or nominated Members of any Council to receive any salary or remuneration in virtue of such Membership, but any such Member, already in receipt of any Government salary or allowance, to continue to draw the same unchanged during Membership, and all Members to be entitled to be reimbursed any expenses incurred in travelling in connection with their membership.
- (5) All persons resident in India to be eligible for seats in Council, whether as electees or nominees, without distinction of race, creed, caste or colour.
- (6) All legislative measures and all financial questions including all budgets, whether these involve new or enhanced taxation or not, to be necessarily submitted to and dealt with, by these Councils. In the case of all other branches of the administration any Member to be at liberty, after due notice, to put any question he sees fit to the *ex-officio* Members (or such one of these as may be especially charged with the supervision of the particular branch concerned) and to be entitled (except as hereinafter provided) to receive a reply to his question together with copies of any paper requisite for the thorough comprehension of the subject, and on this reply the Council to be at liberty to consider and discuss the question, and record thereon such resolution as may appear fitting to the majority. Provided that if the subject in regard to which the inquiry is made involves matters of Foreign policy. Military dispositions or strategy, or is otherwise of such a nature that in the opinion of the Executive, the public interest would be materially imperilled by the communication of the information asked for, it

shall be competent for them to instruct the ex-officio Members, or one of them, to reply accordingly and decline to furnish the information asked for.

- (7) The Executive Government shall possess the power of over-ruling the decision arrived at by the majority of the Council, in every case in which in its opinion the public interest would suffer by the acceptance of such decision; but whenever this power is exercised, a full exposition of the grounds on which this has been considered necessary, shall be published within one month and in the case of local Governments, they shall report the circumstances and explain their action to the Government of India, and in the case of this latter, it shall report and explain to the Secretary of State; and in any such case on a representation made through the Government of India and the Secretary of State by the overruled majority, it shall be competent to the Standing Committee of the House of Commons (recommended in the third Resolution of last year's Congress which this present Congress has affirmed) to consider the matter, and call for any and all papers or information, and hear any persons on behalf of such majority or otherwise, and thereafter, if needful, report thereon to the full House.

No taxation without representation. That is the first commandment in the Englishman's Political Bible; how can he palter with his conscience and tax us here, his free and educated fellow-subjects, as if we were dumb sheep or cattle? But we are not dumb any longer. India has found a voice at last in this great Congress, and in it, and through it, we call on English to be true to her traditions, her instincts, and herself and grant us our rights as freeborn British citizens. Representation is a thing required in every part of the world, as soon as a nation emerges from barbarism, even where rulers and ruled are one people, having one common language, domicile, religion, literature, and what not, and how much more so is it needful in this country? We know that the English people, true to their higher instincts, have introduced here so much that is good, that to them we owe many and great blessings. We acknowledge these blessings with gratitude: we owe a heavy debt of gratitude to the English people, and there is no fear of our ever forgetting our obligations to them.

But our President signs that I am exceeding the allotted period, and I will only add may the cause of the people of India, the cause of liberty and right, engage the attention, heart and soul, of every honest Englishman in India and in England and may each true Briton, who values the rights, the privileges, the freedom which have made him and his country what they are, aid us, like true Britons, to the fruition of our aspirations for equal rights, equal privileges and equal freedom.

In supporting the following resolution of the third Indian National Congress held at Madras in 1887 Madan Mohan Malaviya said:

That this Congress re-affirms the necessity for the expansion and reform of the Council of the Governor-General for making laws, and the provincial Legislative Councils, already set forth in Resolutions III of the Congress of 1885 and 1886, and expresses the earnest hope that the Government will no longer delay action in the direction of this essential reform.

What is it that we see year after year? People assembling from all parts of India,—from the Punjab, Sindh, Assam, Madras, Bengal, Bombay, N.W. Provinces, Oudh, the Central Provinces, from every province, from every town—coming together to implore Government humbly to grant this reform, which is after all their birth right as free born British subjects. It is no desire or motive of self-ambition that brings these people together at such heavy cost and at such great personal inconvenience. There is no taint of self-interest in the matter. No. Their sole idea is that India, their country, of all things stands badly in need of this fundamental reform, and they hope—and God, grant that they may not hope in vain—that their unselfish persistence in asking may secure for their native land this great boon: I cannot possibly believe that there is one single educated Indian, who after studying this question can rest happy in his mind, without trying his very best to secure this reform.

It was not right to leave to the last moment of the session the only opportunity that was afforded to Parliament of considering the wishes and the grievances of the 200,000,000, of people whom we rule. That any Parliamentary control should be exercised over the affairs of India was impossible when the Indian Budget figured upon paper as the eighth order upon one of the last days of an expiring Session. Following him Mr. Reid said:—"How could Parliament do anything when these matters were only brought to its cognizance on one of the very last days of a weary session when only fifteen or sixteen gentlemen had sufficient energy left to watch the proceedings.

Now, Gentlemen, you see that Parliament will not or cannot give that consideration even to our Budget, even to the expenditure of eighty millions of money wrung out of the country, and none know better than you do with what hardships to the people that we have a right to expect from them that commonsense and justice demand and if this be the case with the Budget, what change have the rest of our affairs of getting a hearing of any kind? I say, none, and therefore we ask Parliament to allow us to look after our own affairs. We say if you cannot or will not do your duty by us, at least put us, in a position to do some portion of our

duties to ourselves. We say, we entreat you in all fairness to allow us some control over our Budget, to put us in a position to say something through our representatives about it when it is brought into the council—to give us some voice here in the management of our domestic affairs.¹⁶

III

The following is the manifesto of the Independent Congress Party issued from Allahabad on the 28th September 1926:

“Whereas the opinion of the country in matters political has undergone a considerable change since the Indian National Congress held its session at Cawnpore, and whereas the general trend of public opinion seems to be opposed to the policy of uniform, continuous and consistent obstruction in the legislatures, and whereas the said policy of indiscriminate obstruction to the extent it was followed has failed to bring about the desired result and has led the Swaraj party into futile and harmful paths, and whereas the policy of the walk-out has been a complete failure, and whereas the present executive of the Indian National Congress is not prepared to call a special session of the Congress to obtain the mandate of the country on the question now agitating the public mind, and whereas all efforts to bring about harmony and unity between the two wings of the Congress have failed and whereas under the circumstances, the only course left open to such members of the Congress as do not agree with the Swarajists’ policy and programme is to form themselves into a separate party within the Congress with a view (a) to obtain the mandate of the country at the forthcoming elections to the legislatures and (b) of a Congress at its next session at Gauhati as regards the policy which should be pursued by the representatives of the people in the legislature, it is hereby resolved (1) that a party to be called the Independent Congress Party be formed of those members of the Congress who do not agree with the policy and programme laid down by the Congress at Cawnpore in respect of work within the legislature; (2) that the policy of the Party will be to work the legislatures, defective though their constitution is for all they are worth and to use them for accelerating the establishment of Swaraj or full responsible government and for protecting and promoting, in the meanwhile, the interests of the people and strengthening their power of resistance to injustice and misrule; (3) that it will be open to this Party to accept office provided the power, responsibility and initiative necessary for the effective discharge of their duties are secured to the Ministers, the efficiency of such power, responsibility and initiative being decided by a majority of the members of the Party within the legislature concerned, subject to such general conditions as the All-India Executive of the Party may lay down; (4) that this Party leaving, however,

that Party free to function separately wherever it exists; (5) that in all questions of a communal character, it will be the duty of the members of this Party to promote a reasonable agreement between the contending sections. Where such an agreement is not arrived at, such members of this Party will be free to act in the legislatures as he may consider best in the interest of the community to which he belongs."

In view of the breakdown of the negotiations between Pandit Malaviya and Pandit Motilal Nehru, resulting in the formation of an Independent Congress Party, it will be interesting to know the details of the terms proposed by Pandit Malaviya for acceptance by the Swarajists. The terms run as follows:

- "(1) In provincial legislatures, no member of the Congress Party will accept any office under the Government unless the Government release or bring to trial those who are detained in prisons under the Bengal Ordinance and unless the other conditions for the acceptance of offices are considered satisfactory by a majority of the elected members of the party in the legislature concerned and approved by a Central Committee of the party of not more than 9 members.
- "(2) The policy to be pursued by the Congress Party in the Council will be one of utilising the Councils for securing an early establishment of responsible government in India and for protecting and promoting in the meanwhile, the interests of people so far as this can be done under the present defective constitution, i.e., a policy of discriminating obstruction.
- "(3) In the Central Legislature, the policy to be followed will be the same as that laid down in para 2 with this addition that until the national demand is granted to emphasise the Congress Party's continuing protest against the existing constitution and its insistence on the national demand, the party will throw out every year the item of the budget relating to the Executive Council of the Government of India. Here Pandit Malaviya adds: 'I think it may be possible further to agree to throw out the Finance Bill as a protest against the existing high expenditure of the Government until that expenditure is brought down to what the party considers reasonable. When this can be done without injury to the interests of the people of the country at least, I will try to bring about an agreement if it can unite the two parties.'
- "(4) When an agreement is not arrived at on any communal question every member of the party will be free to vote as he may think right and proper.
- "(5) Candidates will be put up as congress candidates.

- "(6) A joint committee to revise the names of candidates for election to the Legislative Assembly and the Councils, the committee to consist of Pandit Motilal, Mr. S. Srinivasa Iyengar, Mr. T. Prakasam, Pandit Malaviya, Mr. Jayakar, Lala Lajpat Rai, Mr. B. Chakravarthi and Mrs. Sarojini Naidu."

Pandit Motilal's Statement

Apropos Pandit Malaviya's statement, Pandit Motilal Nehru issued the following statement to the Associated Press on the 15th September:

"I am surprised to see that the details of the terms proposed by Pandit Madan Mohan Malaviya for acceptance by the Swarajists have been published inspite of an understanding that the conversations held at Simla were to be treated as strictly confidential. The various press messages which preceded the publication of these terms created the impression that there was to be a further meeting between the Responsivists and the Swarajists in Delhi and that it was wrong on my part to leave Delhi on the very day of the meeting without attending it. As these messages, taken with the publication of a part only of the conversations, are calculated to prejudice the public mind against the Swarajists, I am no longer bound by the understanding referred to above and must put all the facts before the public.

No office under the Crown shall be accepted by any member of the Party unless and until the Government agrees to take the following or other steps having substantially the same or similar effect. (a) The release or trial according to law of all political prisoners who are at present detained without being tried and convicted in due course of law; (b) the repeal of all repressive laws; (c) the removal of all disqualifications now imposed on persons who have served the sentences passed on their conviction of any offences for standing for election to elected bodies in the country; (d) the abolition of non-official nominations to membership to the Councils and throwing open the seats of nominated non-official members to election; (e) giving ministers full control over the Transferred departments subject only to the Governor's constitutional right of veto and making the ministers fully responsible to the legislature in the administration of their respective departments; and (f) fixing a minimum proportion of the revenue of the province for the development of nation-building departments under the charge of ministers without imposing additional burden on the people.

(4) Until the Government agrees to take the steps mentioned, the Party in every provincial legislature shall be bound to resort to a policy of refusal of supplies in the manner and to the extent that may be decided upon at a party meeting.

(5) The Party in the Assembly shall, until there is a sufficient response to the

national demand as contained in the resolutions of the Assembly referred to above, (a) resort to a policy of refusal of supplies and put it into operation in the manner and to the extent may be decided upon by a meeting of the Party; (b) throw out all legislative measures which tend to curtail the rights of the people; (c) move resolutions and introduce and support measures and bills which are necessary for the healthy growth of national life and the advancement of the economical, agricultural, industrial and commercial interests of the country; and (d) generally protect the rights of labour, agricultural and industrial, and adjust the relations between landlords and tenants and capitalists and workers.

Supplementary

(6) The Party shall adhere to the Lucknow Pact until there is a general agreement between Hindus and Mussalmans to abandon or modify it.

(7) No Bill, Motion or amendment relating to any communal matter shall be moved by any member of the Party in any legislature, if a majority of three-fourths of the Hindu or the Muslim members of the Party in the said legislature are opposed to the introduction of such bill, motion, or amendment.

(8) If any such bill, motion or amendment of a communal character is moved by a member of the legislature not belonging to the Party, all members of the Party, shall have full freedom of speech and vote.

(9) Constituting a Committee to determine what is and what is not communal.

Text of Pandit Nehru's Telegram

"Pandit Madan Mohan Malaviya offers the following terms of compromise :

"Provincial Legislature—Firstly no acceptance of office unless Bengal detenues released or tried and such other conditions fulfilled at a Joint Committee of nine consisting of four Swarajists, four Responsivists and the Congress President may determine. Secondly, adoption of a policy of discriminate obstruction. Thirdly, the same Joint Committee to revise the list of candidates already nominated. Fourthly liberty to vote on communal questions unless members of both communities agree. Fifthly, all candidates to be put up as Congress candidates.

"The Central Legislature:—The Policy of discriminate obstruction and throwing out the budget demand relating to the Executive Council as a protest against no response to the national demand. Pandit Malaviya also considers agreement possible to throw out the Finance Bill where the interests of the country do not suffer. Please wire your independent opinion to Hotel Metropole, Agra by 8th at the latest. I reserve my opinion till your reply. Please consider the bearing of these

negotiations or our relations with Mussalmans and the advisability of enertaining these proposals, at this stage without prejudice to our election campaign."

The fact should be read with the terms now published by Pandit Madan Mohan Malaviya. It will be clear that I was anxious all along not to repeat the history of the Sabarmati Pact that insisted on the conditions for acceptance of office not only to be clearly stated, but also widely published.

The Punjab Leaders' Manifesto

The following manifesto was issued in the beginning of November 1926 under the signatures of many members of the Punjab Provincial Congress Committee and other Congress workers in the Punjab:

"Pandit Madan Mohan Malaviya and Lala Lajpat Rai are two amongst the most prominent personalities in our country. Their association with the cause of the Congress is a life-long one. By their continued efforts to propagate its aims and ideals, they have both earned for themselves a unique position in the hearts of the people. The signatories of this manifesto in common with the public have on various occasion expressed deep appreciation of their services in the fight for the freedom of the country. We take this opportunity to reiterate our respect and regard for both Malaviyaji and Lalaji.

"The latest present to the country by Pandit Malaviya and Lala Lajpat Rai is the formation of the Independent Congress Party. We are constrained to say that the new party is undesirable not only in the manner of its creation but its objects are also against the interests of he country. It has been started at a time when it was the duty of every Congressman to carry on faithfully the mandate of the Cawnpore Congress and to offer a united front to the Government. Lala Lajpat Rai himself supported the resolution in the Congress in Cawnpore, and subsequently participated in the walk out decided upon in Delhi by the All-India Congress Committee. It was expected that he would continue to follow the policy in the adoption of which he had a prominent hand. But he has preferred to act differently. No arguments have been advanced as to why the changed course is taken up now. No incidents have happened in the country which support his contentions. The Government has shown no signs at all of responding to the wishes and demands of the Congress and the Assembly. On the contrary in every possibly way the Government is taking advantage of the differences in our camps. The campaign of communalism carried on by both the great leaders and their followers has not only caused bitterness between the two great sections of the people but has also resulted in numerous bloody feuds and fight.

"Let every well-wisher of the country consider these matters carefully and see for himself whether the lead given under such combinations of heterogeneous matters can ever be fruitful for the country. Lalaji was offered a seat in the Election board by the P.B.C.C., in which he disdained to work. Why? Because therein no single man can do what he likes. He was offered to have the whole machinery of the Congress under his charge which he refused if his terms of either summary dismissal or lowering of the positions of some of the most prominent workers of the Congress were not agreed to. Now the attempt is being made indirectly to get what was directly offered to him. For the ways and means to gain his object Lalaji has to resort to the procedure followed by the Government in crushing one of the finest set of sacrificing workers, the Akalis. Even the name has been borrowed. The Government put up men to start the "Gurdwara Sudhar" Committee. Lalaji finds people to create the Congress "Sudhar Committee." We hope the upshot of the latter will not be that of the first as it would be such a keen disappointment to the founders of the "Sudhar Committee." We deprecate strongly the methods adopted by this latest "Sudhar Sabha."

"In the end we would earnestly request the public not to be led away by big names and new cries. The Congress, the creation of the best minds of the country, sustained with the blood and sacrifices of the martyrs for years is the only and supreme body—capable of giving of real fight to the Government. Swaraj Party is admittedly the only strong, compact body which had led successfully in the past the battles of the nation. Friends, gather together under the banner of the Congress and thus prove to the world that true ideals is what you are after and not great personalities. As long as the spirit is untarnished—enthusiasm, courage and sacrifices are our watch-words—we need never despair even if we have to carry on the burden of the fight on young shoulders. Young men of the country are the backbone of the nation".

IV

Gandhi publicly congratulated Malaviya for his resignation from the so-called Legislature which, however, he said, was none too soon. He expressed his hope that he would now attend to real popular work which awaited the country, which Gandhi asserted could only be done outside the legislature.¹⁷

Malaviya and the Civil Disobedience Movement 1930-34

After the adoption of the Poorna Swaraj resolution at Lahore Congress (1929) and the withdrawal of the Congress members including the Nationalists from the Legislature, the country was left with no option but to offer Satyagraha. Gandhi launched the Civil Disobedience movement popularly known as "Salt Satyagraha"

by collecting salt at the end of the historic Dandi March. Before launching the Satyagraha, Gandhi wrote in the *Young India* that he would be content with 'substance of independence, and he enumerated his Eleven Points to explain his ideas. The manufacture of salt by Congress volunteers was begun all over the country. Other items of the programme followed. Huge public meeting were held on 5th April 1930 in all big cities. Police firing took place at several places. A month later Gandhi was arrested (May 5, 1930) and with his arrest the movement got momentum.¹⁸

After his resignation from the Assembly, Malaviya joined the Civil Disobedience movement. A growing erosion of his faith in the British Government expressed more frequently and intensely since the Simon Commission, a sense of despair on the legislative front on account of his Party being in a hopeless minority after the walk out of the Swarajists and the conviction that was no hope of the Government conceding the National Demands either through the Legislature or through the method of appeal or prayer, together with his increasing realisation of the Civil Disobedience movement having caught the imagination of the masses, all these seem to have led him to join the movement.¹⁹

He defended the Civil Disobedience movement and maintained that peaceful picketing was no offence. He condemned Press Ordinances and other Ordinances and said that the Civil Disobedience was not the creation of Gandhi but a progeny of Government's own policy. He discounted peace overtures made by Sapru and Jayakar in face of repression and regretted that while the Viceroy and the Governors condemned Civil Disobedience, they have no word against police excesses.²⁰

Malaviya's share in the C.D. Movement was no less important. He proceeded to N.W.F. Province to organise relief to the victims of firing at Peshawar. He was served with a notice at Campbellpur prohibiting him and his party from entering the Frontier Province. He disobeyed the order and continued his journey till he was arrested at Khairabad Kand, brought back to Campbellpur and released there. This was his first arrest. On August 1, 1930, he joined a procession at Bombay in connection with Tilak's anniversary. Along with other leaders he was arrested and fined. Unlike other Congressmen, Malaviya put up legal defence, but like them he preferred to undergo imprisonment rather than pay fine. Some Joshi deposited his fine, much to his regret. He was finally arrested at Dr. Amsart's house where he had gone to attend the meeting of the Congress Working Committee. He was sentenced to imprisonment for six months. Malaviya had moved from legislature to prison. He was sixty-nine at the time of his conviction.²¹

Gandhi-Irwin Pact, the Karachi Congress, R.T.C. and Malaviya

Malaviya was with the Congress and Gandhi throughout the period of negotiations with Lord Irwin. It is obvious that continuous consultation must have taken place between important members of the Working Committee including Malaviya. However, it is not known precisely what influence Malaviya exercised over Gandhi during the Gandhi-Irwin negotiations.

The annual session of the Congress was scheduled to be held on March 1, 1931 at Karachi. It was preceded by the Gandhi-Irwin Pact and the execution of Sardar Bhagat Singh. Before leaving for the Karachi Congress, Gandhi, Malaviya, Jawaharlal and others met at Delhi in a bid to save the lives of Bhagat Singh and his associates. Gandhi told the Congress leaders that he had made all efforts to save them but had failed. Thereupon Malaviya suggested that they should form a deputation of leaders available at Delhi and wait upon the Viceroy urging him to commute the death sentence. Gandhi was different of this move. Jawaharlal suggested that they should go to the Viceregal Lodge till he consented to commute the death sentence. None of the proposals was found acceptable and they failed to save the lives of Sardar Bhagat Singh and his comrades.

The Karachi Congress thus met in the shadow of execution of Bhagat Singh and his comrades. Gandhi was greeted with black flags at Karachi. Malaviya was asked to support the resolution concerning Bhagat Singh. While holding the Government responsible to a considerable extent for Indian youth becoming revolutionary, he advised young men to shun the perilous method of violence asking them at the same time to take a pledge not to take rest till India becomes free.²²

Before the departure of Gandhi for the Second Round Table Conference, the Congress Working Committee adopted a policy resolution (July, 1931). It was modified by the All India Congress Committee at Bombay (Aug. 1931). This was the resolution that Gandhi presented before the Round Table Conference. Malaviya endorsed this resolution. The Karachi Congress appointed Gandhi as the sole representative to the Second Round Table Conference. It is said that on Gandhi's suggestion Malaviya and Mrs. Sarojini Naidu were nominated by the Government. Both accompanied Gandhi to London. Malaviya was not a Congress Delegate. He had gone to the Round Table Conference in his individual capacity. Nevertheless he was a Congressman, and he had in common with other leaders certain objectives which he projected before the Round Table Conference. Not that he held views exactly identical to Gandhi, but he presented his case in a way that the Government could not drive a wedge between the two. Malaviya would not dissociate with

Gandhi. In London his role lay in strengthening the hands of Gandhi and pleaded with facts and logic to prove that agitation in India was deep rooted; that days of small changes had gone and that Indians must be admitted as equal partners in the British Empire. He took an active part in Federal Structure Committee and Minorities Committee and expounded the Congress points of view.²³

Unfortunately none of his suggestions found favour with the Muslims and the British Government. At one stage, Muslims lent no support to the scheme of introduction of responsibility at the Centre or any further responsibility in the Provinces. They even refused to take part in further discussion. The Muslim delegation actually started leaving London long before the deliberations of the Round Table Conference had come to a close. Both Gandhi and Malaviya insisted upon deliberation on constitution making even if there was no communal settlement. Malaviya was for a peaceful settlement of the Hindu-Muslim question.²⁴

On constitutional issues, which were more important than the communal question, Malaviya played a decisive role. Twenty-eight delegates (including Gandhi, Sastri, Sapru and Malaviya) in a joint letter addressed to the Prime Minister (dated Nov. 6, 1931) expressed deep concern regarding the rumour that the Government might take the line of proposing to confer Provincial Autonomy at once and leave the question of Central Responsibility to be thrashed out later in India. The signatories stressed that the needs of the situation could be met by complete and comprehensive scheme, of which Responsibility at the Federal Centre must be an integral part as autonomy of the federating units. Malaviya made valuable contribution to the discussions on questions of Defence, Commercial discrimination including right to property and the composition of Legislature and judiciary.²⁵

To enlist the support of British M. Ps. and the leaders of British political parties and to enlighten Indian young men residing in England were no less important tasks. The Muslim delegation under Sir Aga Khan's leadership was presenting to American listeners through B.B.C. a picture of Muslim minority as the aggrieved party in a predominantly Hindu country.²⁶

In his address to the Indian Students Central Association, Malaviya observed that it was impossible for the present system of Government to continue.

During his stay at London, Malaviya availed himself of the opportunity to meet former Viceroys and Governors with whom he had developed contacts and friendship during their stay in India. He gave a talk to the Recording Company in which he pleaded for the pooling of world's knowledge of philosophy and science in the service of mankind besides emphasising India's great part.

Resumption of Civil Disobedience Movement

Gandhi returned to India on December 28, 1931 only to find the cordial atmosphere between the Government and the Congress conspicuous by its absence. There were complaints and counter complaints of violations of Gandhi-Irwin Pact. With a view to resolve the differences, Gandhi sought an interview with the Viceroy, which the latter refused. On 4th January 1932, the Government brought in four new Ordinances and arrested Gandhi and Patel. With this the second round of the Civil Disobediences movement can be said to have begun.²⁷

While on his way to India, Malaviya had gathered from newspapers about the happenings in India. From aboard the steamer, he cabled to the Prime Minister, the Secretary of State for India and the Viceroy on Jan. 2, 1932, asking them to settle outstanding disputes between the Government through Gandhi's co-operation rather than forcing him to revive the Civil Disobedience movement. In a public statement soon after his return to Bombay (Jan. 14, 1932) Malaviya regretted that the Government had not accepted his suggestion. He condemned the policy of repression and said that the Government would have to give up this policy before long. He conferred with leaders (Moderates and the Congress) in Bombay and planned to send a Deputation to wait upon the Viceroy.²⁸

With most of the Congress leaders in jail, Malaviya was asked to preside over the 47th Congress to be held at Delhi (April 1932). The Congress organisation was under a legal ban and there was no doubt that the participants in the Congress session would be put under arrest. As a matter of fact, the organisers were warned by the Government against holding of the Congress session. Malaviya accepted the offer to preside over the Congress session, and declared that the session would be held as per programme. He was, however, arrested enroute to Delhi (on 24th April 1932) and released a few days after the Delhi Congress.²⁹

During the Civil Disobedience Movement, instances of police excesses committed against the Congress volunteers and processionists came to light. He was pained to know of the ill-treatment of political prisoners which led to the disturbances in several jails. He appointed a committee under K.N. Katju to inquire into the alleged ill-treatment of political prisoners. And with a view to highlight their cause, he called for a countrywide observance of 'Ordinance Day' and All-India Prisoners Day. Processions were taken out and public meetings were held demanding release of political prisoners and withdrawal of Ordinances. To focus the attention on various political problems, he gave a call to organise 'Protest Day', 'Swadeshi Day', and 'National Week'. It was through these methods that he proposed to arouse people's consciousness.

While the Civil Disobedience Movement was still going on, the country was once more drawn into a discussion of the communal problem. It was the announcement of the Communal Decision (popularly known as the Communal Award) on August 16, 1932 by the Prime Minister, Ramsay MacDonald. The Award was said to be based on the Lucknow Pact with two new features: (a) reservation of seats for women and (b) the recognition of the Depressed Classes as a separate community with their own electorate, although they were to vote in a general constituency. Dr. Ambedkar found the Award 'iniquitous' inasmuch as it accorded unequal treatment to the Hindu and Muslim minorities in matter of representation.³⁰

Malaviya unequivocally condemned the Government's Award. 'Communal Award,' he maintained, "will remain as a condemnation of its authors showing how British statesmen before conceding self-governing constitution gave a scheme, representation according to which was calculated to divide one community from another and making it impossible for communities to be brought together." Malaviya was prepared to wait for constitutional reforms till the majority and other minorities agreed among themselves about any scheme of representation. He was convinced that so long as the Communal Award remained, communal feeling would go on increasing which would jeopardise both national defence and national Government. He added that "never before had such bitterness existed against the Government nor Indians and Europeans were so completely estranged."

The Hindu Leaders Conference under Malaviya met at Delhi. Later on it changed its venue to Bombay, then to Poona to facilitate negotiations. Dr. Ambedkar was in a belligerent mood. He presented his party's draft proposals which demanded *inter alia* an increase in the depressed classes representation in provincial Legislatures, election by joint electorate with reservation of seats, representation of Depressed Classes in Local Bodies and services and guaranteed appointment according to population. Long and tortuous negotiations took place. The Conference nevertheless succeeded in coming to a settlement, known as the Poona Pact (or Yervada Pact). Under the Pact, the Depressed Classes agreed to forgo their separate electorate. They were given one hundred forty-eight seats in the Provincial Legislatures, besides adequate educational facilities. Out of four Depressed Class candidates for a reserved seat, the general electorate was to choose one.

The Pact was signed by Malaviya, Ambedkar, Rajaji, Sapru, Jayakar, M.C. Rajah and others. It was essentially an agreement between Caste Hindus and Depressed Classes. The presence and consent of Malaviya—a great Sanatanist leader—added weight and sanctity to the agreement. Both Gandhi and the British Government

accepted the Pact. The importance of the Poona Pact in resolving the problem of Depressed Classes can hardly be exaggerated. Nor can we minimise the important role Malaviya played in bringing it to fruition.

REFERENCES

1. See the *Commemoration Volume* on Pandit Madan Mohan Malaviya published under the auspices of B.H.U.
2. *Ibid.*
3. *Ibid.*
4. *Ibid.*
5. *Ibid.*
6. See M.M. Malaviya; *His Life and Speeches*, Madras.
7. *Ibid.*
8. *Ibid.*
9. *Ibid.*
10. *Ibid.*
11. He always supported the basic rights of Hindus.
12. *The Leader*, 12 June 1925.
13. Malaviya took up various issues which had deep bearing during his participation in the long-drawn political struggle for the attainment of Swaraj. See *Commemoration Volume*.
14. *Ibid.*
15. *Ibid.*
16. *Ibid.*
17. Mahatma Gandhi felt much obliged when Malaviya tendered his resignation as a Member of the Legislative Assembly of India in 1930. See *Young India*, 1930.
18. *Ibid.*
19. *Ibid.*
20. *Ibid.*
21. *Ibid.*
22. His participation in the Karachi Congress in 1931, presided over by Sardar Patel, was historic. See *Harijan*, 1932.
23. Malaviya, though a staunch Hindu, was a secular leader and supported Hindu-Muslim unity through his Speeches and Writings. See *Harijan*. 1933.
24. *Ibid.*

25. He was an expert on Constitutional issues and welfare of the youths of India. See *His Speeches and Writings*.
26. *Ibid.*
27. *Ibid.*
28. See the *Harijan*, 1931.
29. *Ibid.*
30. *Ibid.*

The Assessment

In the long-drawn political struggle in our sub-continent, the role of Madan Mohan Malaviya is more than seven decades. He passed through several crucial stages of the movements launched by Mahatma Gandhi. Indeed his participation in the freedom struggle is most significant. Besides he did much for the economic upliftment of our masses. He was a social reformer in our society. He favoured the idea of social upliftment of women and opined that they should be properly educated. He supported widow remarriage and opposed child marriage both for boys and girls. In his speeches and writings he always talked about the equality of men and women in our sub-continent.

Undoubtedly he was a great educational reformer and favoured the spread of education in every mook and corner of the country. But he chose Varanasi—indeed a sacred place for Hindus—as the academic centre for higher learning and founded the Banaras Hindu University inspite of opposition at several quarters. Not only that; he collected money from door to door and state to state from donors for this sacred cause. In fact he had the vision no less than that of the founders of Oxford and Cambridge. His appeal for funds proved very fruitful and millions of rupees were collected. Starting in a moderate way, the Banaras Hindu University developed, even during his time, a massive academic centre in the Indian sub-continent, all the faculties were started with most competent members of the staff. Madan Mohan Malaviya was the Vice-Chancellor of this University for more than two decades.

As a Congress worker, his initiative for any kind of political work is worthy of praise. The Congress honoured him to occupy the presidential chair and it indeed was an unique honour. His contribution in various Congress sessions was fairly comprehensive and supported the cause of Swadeshi and Swaraj. His maturity of thought and well-argued speeches were always appreciated by the Congress leadership.

He also occupied the presidential chair of the Hindu Mahasabha and passed resolutions for affording more strength to the cause of Indian nationalism. He

always wished that Hindus should be strong enough to bear the tough line of action adopted by the Raj. Even in the campus of the Banaras Hindu University physical training for the students was emphasised. He asked students to understand the philosophy of Hindu scriptures like Vedas, Ramayana, Mahabharat and Upanishads. His arguments in this regard indeed proved fairly effective.

As a member of U.P. Council and the Central Assembly, his contribution was far more than an ordinary member. His long, meaningful and comprehensive speeches supported several causes having deep linkage with the socio-economic and political life of the people of Indian sub-continent. He was listened to with much attention and the bureaucracy showed regard for his arguments.

His death on 12 November 1946, a few months before the independence of India, was a wave-shock to one and all. Whereas the prominent leaders paid their glowing tributes to the great son of India, the masses of the country mourned the loss in several ways. Teaching in the Universities, Colleges and schools was suspended and rich tributes were paid to him.

Banaras Hindu University

Pandit Madan Mohan Malaviya's services to the Congress and to the political life of India have been great indeed but greater and more enduring still of his selfless labours for the cause of his motherland which has been his idea and the successful launching of the Hindu University for India at Benares. Briefly put, the proposed University was to be located at Banaras, and was to comprise the following institutions: (1) a College of Sanskrit learning where the Vedas, the Vedangas, the Smritis and the Darshanas were to be taught; (2) an Ayurvedic or Medical College with its laboratories, botanical gardens, hospitals, farms, etc.; (3) a College of Sathapath Veda and Artha Shastra or a College of Science and Economics which should include a department of Physics, a department of Chemistry and an up-to-date Technological Institute; (4) an Agricultural College with its necessary attachments; (5) a College of Fine Arts in which music, arts, painting, sculpture, etc., were to be taught with a national aim before the teachers and the students eye; (6) a Linguistic College where students were to be taught English and such other foreign languages as it may be found necessary to teach in order to enrich the Indian literature with all important sciences and arts. It is needless to say that the scheme also included residential quarters where students were to be admitted to the Brahmacharya Ashram directly after their Upanayan and were to be required to carry out in their daily life and intercourse with one another the principles of conduct prescribed for the state of Brahmacharya. The whole course of study was to be so fixed that a student of average intelligence may in twelve years acquire

without excessive strain on his powers a proficiency in the Sanskrit language and literature and be skilled in some art of producing wealth. It was thus mainly intended for the promotion of scientific, technical and artistic education combined with religious instruction and classic culture, and its aim was to bring the Hindu community under a system of education which would qualify its members for the pursuit of the great aims of life as laid down in their scriptures, viz. (1) Discharge of religious duties (Dharma), (2) Attainment of material prosperity (Artha) Enjoyment of lawful pleasures (Kama). The plan was to give religious and secular education through the medium of Sanskrit and Indian vernaculars, and to enlist the spirit of self-help which is beginning to manifest itself in many parts of India in the cause of education. To a great extent the proposed University was to be a fulfilment of the scheme which was propounded by Jonathan Duncan, Agent to the Governor-General at Benares, "For the preservation and cultivation of the Sanskrit literature and religion of the nation (Hindus) at this the centre of their faith (Benares), and of which the Benares is a partial realisation." The scheme of teaching was first accepted by Government in its but teaching of the Vedas was subsequently abandoned in deference to the objection that a Christian Government should not support Hinduism.

The story of the Pandit's many tours and wanderings throughout the country in aid of funds for the University must be known to all those who have watched the progress of this movement. How he toiled night and day, how he gave up his large and lucrative practice at the Bar in his labours for the establishment of the Hindu University are too wellknown to be recounted here. The enthusiasm of the country at large are the sincerity and earnestness with which Pandit Madan Mohan Malaviya toiled hard to bring the institution into existence, obtained for it the necessary funds and the Government of India took up the matter seriously to give it the charter which it so well deserved. In Lord Hardinge, Pandit Malaviya found a sincere friend of India and no time was lost in introducing the Benares Hindu University Bill. On 22 March 1915, Sir Harcourt Butler moved to introduce the Bill. Pandit Malaviya whose labours in the cause of the Movement for the establishment of the Hindu University had been quiet and unobtrusive made a speech in welcoming the Bill and he took the occasion to proclaim once more though the University would be a denominational institution, it would not be a sectarian one:

After the establishment of the University, Pandit Malaviya worked unceasingly for placing it on a proper basis. When after the unexpected demise of Pandit Sundar Lal, a vacancy was created in the office of the Vice-Chancellor, Pandit Madan Mohan Malaviya's name was uppermost on the lips of the electors, but he who had

been working for years subordinating his name and fame would not accept the office but insisted that he should be allowed to work for it in his own quiet and sincere manner. Himself once a teacher, and in a sense always a student he had shown marked regard for their wellbeing and progress. His highest ambition was always to rear up the young men of the land as fit and worthy citizens. He never missed an opportunity to meet young men and exhort them to conduct themselves as students and as students only.

It is well known that during the entire period of the agitation in connection with the partition of Bengal he set his face strongly against the conduct of the young men who got themselves mixed in the agitation and he made no secret of his condemnation of the attitude of some of the demagogues who inflamed the passions and prejudices of young and inexperienced youths. Here is an excerpt from one of his graceful exhortations to young men:

'You have such noble-inspiring instances of filial devotion, of respect to father and to elder brother. In such a land if you hear that young men have become disrespectful and discourteous and impatient and do not wish to listen to the opinions of those who differ from them you can imagine how much pain it must cause to every true lover of this country...You will remember the precepts of Manu, namely, you cannot discharge your obligations towards your parents even in hundred lives. Therefore you are required to show respect to your parents and teachers. Show reverence to them. That is considered to be the highest form of penance to students. That respect ought not to leave any school of India. An Indian glory in the glories of the ancient civilization. Adhere to it. You will not only lose nothing by it, but you will gain everything.'

As a public speaker, Pandit Malaviya had a great reputation in India. He had fine sonorous voice and his effective delivery added to the charms of a platform speakers. Except on rare occasions he used no notes to aid him. He often spoke warmly but avoided scrupulously all personalities. His sincerity broke forth even in his declations. He loved his own country greatly, but even in the fervour of his feeling he never betrayed into undignified language. He believed in the mission of Britain in India, and as such wished for a mutual rapproachment between the rulers and the ruled.

Pandit Malaviya was a highly religious man. He had been an ardent champion of the Swadeshi movement throughout his life. So far back as 1881 a Deshi Tijarat Company was started at Allahabad to promote the use of indigenous manufactures, and Pandit Malaviya was one of the prominent supporters of the company. He consistently advocated the use of Swadeshi things wherever they could be had, ever

if they were coarser and dearer than foreign manufactures, citing the example of other countries which had preserved or promoted their industries by a similar policy. Without being a boycotter he had always regarded it as part of his religious duty to purchase country-made goods in preference to foreign ones even at a sacrifice because by that means he would probably be the means of finding food for some humble countrymen of his who might otherwise remain hungry. He took keen interest in the industrial development of India. He was among those who helped in bringing into existence the Indian Industrial Conference at Benares in 1905, and the United Provinces Industrial Conference and the United Provinces Industrial Association at Allahabad in 1907, and he had taken active part in the deliberations of these bodies. His interest in technical education was keen and one of the attractions of his scheme of a University at Benares was that higher technical education was to be the most important feature of the University. He was member of the Naini Tal Industrial Conference held by Sir John Hewett's Government in 1907; and he had no small share in starting the Prayag Sugar Company Limited, which was the direct result of the First U.P. Industrial Conference.

In private life Pandit Malaviya was deeply religious and a very charitable person. There was no great benefaction which could be mentioned to his credit but there were unnumbered small acts of kindness to the needy which in reality reveal a man's secret springs of action. He was deeply interested in social and philanthropic work and is never happier than when engaged in relieving some human misery.

Glossary

<i>Ahinsa</i>	non-violence
<i>Ashram</i>	home for community living
<i>Bapu</i>	Father; name often used for Mahatma Gandhi as a mark of respect for him
<i>Bharat</i>	India
<i>Charkha</i>	spinning-wheel
<i>Dal</i>	association
<i>Darshan</i>	glimpse
<i>Desh</i>	country
<i>Dharma</i>	religion
<i>Ghat</i>	bank of a river
<i>Guru</i>	teacher
<i>Harijan</i>	a name Mahatma Gandhi gave to an untouchable
<i>Hartal</i>	stoppage of a work and business in a commercial establishment or elsewhere
<i>Inquilab</i>	revolution
<i>Istri</i>	a woman
<i>Jai</i>	victory
<i>Jalsa</i>	a public meeting
<i>Jatha</i>	numerous persons
<i>Khadi</i>	hand-spun and hand-woven cloth
<i>Khaddar</i>	hand-spun and hand -woven cloth
<i>Khalifa</i>	Caliph, head of the Muslim community
<i>Khilafat</i>	the line of succession to the Prophet Muhammad
<i>Kisan</i>	peasant
<i>Lakh</i>	100,00

<i>Lathi</i>	stick
<i>Mahila</i>	woman
<i>Mahatma</i>	high-souled person
<i>Nari</i>	woman
<i>Raj</i>	kingdom; commonly used for the British rule in India
<i>Rishi</i>	saint
<i>Ryot</i>	peasant
<i>Sabha</i>	a meeting or an association
<i>Sainik</i>	sepoy
<i>Samdhi</i>	grave of a pious person
<i>Satya</i>	truth
<i>Satyagraha</i>	civil or no-violent resistance
<i>Satyagrahi</i>	one who practises satyagraha
<i>Swaraj</i>	self-government
<i>Tapasya</i>	penance
<i>Thana</i>	police station
<i>Vakil</i>	a lawyer
<i>Vidyapith</i>	an institution of higher learning
<i>Yuvak</i>	youngman
<i>Zalim</i>	cruel
<i>Zamindar</i>	landlord
<i>Zindabad</i>	a word used for victory
<i>Zulum</i>	oppression

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